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ON THE

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SESSION 1848.

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BY

THOMAS WEBSTER, M.A., F.R.S.,

BARRISTER-AT-LAW,

AUTHOR OF THE "PORT AND DOCKS OF BIRKENHEAD."

LONDON:

CHAPMAN AND HALL, 193, PICCADILLY

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EVIDENCE IN THE HOUSE OF COMMONS.

Session 1848.

LIVERPOOL DOCKS' BILL.

IN THE HOUSE OF COMMONS.

Tuesday, 4th April, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Mr. Austin, Mr. Talbot, Mr. Venables, and Mr. Burke appeared as counsel, and Messrs Pritt, Venables, and Co. as agents for the Bill. 4 April, 1848.

Mr. Mereweather appeared as counsel, and Messrs Sudlow and Kingdon as agents on the several petitions, of the owners of land and warehouses, and of ratepayers and others at Liverpool, against the Bill.

Mr. Serjeant Wrangham, Mr. F. Goldsmid, Mr. Hope, and Mr. Webster appeared as counsel, and Messrs. Macdougall and Newall as agents on the petition of the Commissioners of the Birkenhead Docks, against the Bill.

Mr. Austin objected to the petitions of the owners of land and warehouses, and of ratepayers and others, at Liverpool, against the Bill, on the ground of the petitioners having no *locus standi* before the Committee.

Mr. Mereweather was heard in support of the right of the petitioners to appear before the Committee.

The Committee decided that the petitioners had a *locus standi* to oppose the Bill before the Committee.

Mr. Austin objected to the petition of the Commissioners of the Birkenhead Docks, on the ground of the petitioners having no *locus standi* to oppose the Bill before the Committee.

Mr. Serjeant Wrangham was heard in support of the right of the petitioners to appear before the Committee.

The Committee decided that the Commissioners of the Birkenhead Docks had a *locus standi* to oppose the Bill before the Committee.

Mr. Austin was heard to open the case of the promoters of the Bill.

John Bramley Moore, examined by Mr. Talbot. *J. B. Moore,* 4 April, 1848.

I have been chairman of the Liverpool Dock Committee five years, and a member of the Dock Committee seven years. I have been familiar with all the improvements which have taken place during that time The Dock Committee consists of twenty-one persons, of whom thirteen

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J. B. Moore, 4 April, 1848.

are appointed by the town council and the other eight by the dock ratepayers exclusively. I am not aware of any of my colleagues on the Dock Committee being interested as landowners in this matter. The land which we propose to take is for the most part the property of Lord Derby or of the Duchy.

Liverpool Dock Act, 1844.

The Act of 1844 enabled us to acquire what was at that time water, and, by the erection of a river wall, to make dry land and docks upon it. The part going up to the Leeds and Liverpool Canal was existing land. Several of those docks will be opened about June, probably the latter end of May. The Act of 1846 had reference to the construction of a small dock at Wapping: the Harrington Dock is at the extreme south. The works at the Harrington Dock have not been commenced in consequence of the timber trade, and the want of room for the stowage of timber. The Dock Committee are ready to go on with the work: the engine is built, and the plant ready for going on with the excavations; but as they have not the possibility of carrying on the timber trade for want of accommodation, that work has been postponed only until the timber can be removed to some other site. The whole is covered with timber piled up to a considerable height, and until that is removed there is no possibility of carrying on the works. At the central part (the Wapping Dock) there are about 246 houses and warehouses to be pulled down, and they are now in course of being purchased: upwards of 100,000*l.* worth have been purchased and paid for, and the purchasing is going on daily. Part of the present Bill is to obtain additional power to buy some small strips of land near the Wapping Dock, so as to make one continuous line of railway along the docks communicating with the North-Western Railway.

Harrington works stopped until removal of timber trade.

The Brunswick Dock constructed for the timber trade.

The Brunswick Dock was made especially for the timber trade: if it were set at liberty, by the removal of the timber to another locality, it is one of the most convenient docks for general purposes on account of the quay space, which is 300 feet in width. The proposed scheme substitutes large accommodation, both dry and wet, for timber at the north; and sets at liberty dock space to the south of the town available for general purposes. It is absolutely impossible for the timber trade to be carried on unless some other locality be provided. The land to the north will afford facilities which do not exist at the south, because at the south the land is abrupt, and the distance which the timber has to be carted, to be sent into the interior, occasions so large a charge upon the cost of the timber as to press very much upon the trade. At the north there will be communication with the Liverpool and Bury and the London and North-Western Railways, and with the Leeds and Liverpool Canal. At present, out of about one and a half million of tons of merchandise that go into the interior, little more than 100,000 tons go from the north of the town. That arises solely from the want of conveyance. The annual charge upon the timber trade from cartage alone amounts to between 30,000*l.* and 40,000*l.*, probably 40,000*l.*

Inconvenience of south docks for the timber.

Cost of cartage and labour on timber.

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That is a very heavy per centage upon the prime cost of the timber, and will be obviated altogether by the present works: there will be no cartage, and comparatively no labour, and the estimated saving to the trade will exceed 60,000*l.* in labour, horses, and rent, independently of the enormous inconveniences and injury which timber merchants are frequently obliged to submit to, when there is a glut in the market, of selling it on the quays rather than incur an increase of expense. The import of timber into Liverpool in 1843 was 17,800,000 pieces; in 1844 it was 24,600,000; in 1845 it was 28,000,000; in 1846 it was 30,800,000; and in 1847 it was 25,000,000: the falling off in that year I attribute to the want of vessels. All that could possibly be taken up were occupied in bringing corn, which not only affected the quantity of timber brought, but also a great variety of other articles. The tonnage and number of ships have been regularly progressive up to last year. I have no doubt that the trade of Liverpool will continue to increase (when our improvements are effected), from its position and the conveniences afforded, and from its security and the low charges. It would be very difficult to put a limit to the timber trade if you afforded it the opportunity of cheap stowage. Liverpool is the largest square timber port in the kingdom; and it is the principal place of import for mahogany, which is increasing in consumption every year, as it is being more and more applied to shipbuilding purposes from its durability, buoyancy, and the absence of dry-rot. About 50,000 tons of timber are consumed annually in Liverpool; for that portion of the trade the north end will be more convenient, the south end being principally built over and covered with houses. At the north end there is a great deal of vacant ground, which will also, in the course of a very short time, be covered with houses; therefore, if houses have to be erected, there will be a great consumption in the town, and so far as building is concerned the north end will be nearer the point of consumption. The railways down to the float communicating with the other two railways, and the communication with the Leeds and Liverpool Canal going into the interior, will afford great convenience for trade; and in addition to that there will be a line of rails from every part, which will obviate the necessity of any timber going through the town, as it now does, to the great obstruction of the streets, as well as at an enormous cost to the timber merchant. The only cartage required will be in the parts where works are actually in progress.

J. B. Moore, 4 April, 1848.

No limit to the timber trade.

The quantity of timber floated up the river is very large; that will be diminished. The London and North-Western Railway carries a considerable quantity of timber with the expense of cartage upon it to take it to the terminus; that expense will be saved when the timber is loaded on the railway trucks alongside the timber float. If the timber can be sent away cheaper than now, that must of necessity increase the quantity. A considerable quantity must still be floated up the river; I see no material inconvenience to ensue from that; of course the floatage

Timber floated up the river.

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J. B. Moore, 4 April, 1848.

up the river would be more convenient from the south end of the town, inasmuch as you would have rather more than three miles less floatage for the timber up the river. It is a decided recommendation of the north-shore scheme that there is access to two railways and a canal, by which you are certain of a low competing price for the transit of timber into the interior; and it will be more convenient to parties connected with the trade, because in consequence of the nature of the ground beyond the Harrington station no conveyances ply that road, and there are no means of getting there, as the road leads nowhere; you must therefore either walk three miles, or you must go to the expense of a cab, which the clerks connected with the timber trade would not be allowed; but at the north end you have a continual traffic of conveyances passing every half hour. On the one road you have a constant stream of traffic, and on the other you can have none without an enormous expense.

The increased room for the stowage of timber at the north compared with what exists at the south, is of immense importance to the trade. You obtain at the north 300 acres (1,452,000 square yards) of land and water stowage against probably 280,000 yards at the south, which it must be borne in mind will diminish every year. The rates for piling timber at the south vary very much: 8*d.*, 10*d.*, 1*s.*, and in some instances I know 1*s.* 3*d.* a yard rent has been paid for the land. According to the estimate for the works at the north end land could be afforded at a maximum rent of 3*d.* a yard. It would afford great conveniences, and there is also the probability of the trade never being removed again; and then, besides that, it would afford the accommodation about which there is a very great dispute in the timber trade as to whether timber should be floated or piled on dry land, and this would accommodate both parties.

Cost of piling timber.

Our plans are materially altered since the scheme was put forward, in consequence of an intimation from the Ordnance department that the fort would in all probability be required to the north. The works of the fort are now suspended, waiting the result of the proceedings before this Committee. If the Bill is granted, the present works will of necessity go further north. We have engaged to replace the works that are now made at our cost on any locality that the Ordnance may point out. The removal of this fort would enable us to economise in the expense of the works. We propose to construct a river wall. I believe, from the experience we have of the wall that has been lately constructed, that it would be an improvement to the navigation of the river. I am not an engineer, but I know that to be the opinion of nautical men I have conversed with upon the subject. I can only speak from the experience of the north works that have been lately constructed. Danger was apprehended from the making of that wall; but we find from experience that the sea is not so violent as it was thought at the time it would be, and it has rather improved the entrance to the Clarence Dock. The river wall has been found to be beneficial, from which

Alteration in plans.

Clarence Dock entrance benefited by new north works.

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I infer that the continuation of that river wall would be also beneficial. *J. B. Moore, 4 April, 1848.*

The river wall being built will leave behind it a space of ground covered with water to a certain depth, excavated or not according to the requirements of the trade. These matters have been explained, and are well understood and known at Liverpool. On the part of the timber trade I have heard nothing but approbation, except by some parties who are interested in the property at the south, and they are apprehensive that their property might suffer from a depreciation in value. If the demand should require it, the timber trade might in part be accommodated at the south end.

Wednesday, 5th April, 1848.

John Bramley Moore, further examined. *J. B. Moore, 5 April, 1848*

The timber imported into Liverpool in 1846 amounted to 330,000 tons. There can be no doubt that the business of the port will increase with the facilities; the removal of so large a charge as the cost of cartage will be another attraction. I can entertain no doubt as to the need of further dock accommodation, supposing all the works shown on the map to be completed. If all the docks that are now nearly completed were in operation, we should have about the same tonnage to the acreage and water space that there was in 1816, assuming the trade to remain stationary where it is now. No doubt the trade of the country will increase; and if the trade of the country increases, the trade of Liverpool will increase in a greater ratio than of any other port in the kingdom, because it has done so hitherto. From its position commanding the trade of the western world and of the East Indies and China, there is every reason to suppose it will go on increasing in the same manner. This increase has been accompanied with a very material reduction of dock rates. The public have had all the benefit of the reduction of rates. Whatever is made by the Liverpool Dock Trust (no parties having any beneficial interest) goes into the consumer's pocket. In 1836 the dues were reduced 38½ per cent., more than one-third of the rates imposed. The tonnage dues were reduced on long voyages in 1844 and 1845 to 1*s.* 6*d.*, making on the voyages to the West Coast of South America, the East Indies and China, a reduction of 33 per cent.; and last June I had the satisfaction of being able to propose a further reduction, amounting to about 40,000*l.* a year. This reduction commenced last June, and of course the public are enjoying all the advantages and benefits arising from such reduction. *Reduction of rates at Liverpool.*

The present docks at Liverpool work about 25,000 tons to an acre, and in London it amounts to between 5000 and 6000 tons per acre of water space; it is very desirable that there should be an amount of dock *Number of vessels per acre.*

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J. B. Moore, 5 April, 1848.

accommodation which would render it unnecessary to work such a number of tons to the acre; and it is our business, as trustees for the public, to see that sufficient and ample accommodation is afforded to the trade frequenting the Mersey. Whatever accommodation may be made elsewhere, we must have more accommodation in Liverpool; we are legislating for ourselves and for the wants of the port. There have been on the other side important speculations, beside the Harrington and Herculaneum Docks. The Harrington Dock, which we bought, is occupied by the timber trade

No docks in the Mersey in competition with Liverpool docks can pay.

It is quite impossible to carry on dock business, as a dock merely, to a profit. No company of proprietors or individuals can establish docks in the Mersey to be paying concerns; they must of necessity be losing concerns, and for the reasons which I will give the Committee. First of all, the Liverpool Docks have cost 9,000,000*l.*, (*a*) and the debt on which interest has to be paid, including the money expended on the works in progress, amounts to 3,400,000*l.* only; consequently we have interest to pay upon 3,400,000*l.*, although the works have cost upwards of 9,000,000*l.*: the interest we pay varies from 3*l.* to 5*l.* per cent. If you take any individual dock, I believe that no dividend could be obtained out of any dock in Liverpool, supposing it to belong to any company. I will take the Prince's Dock, which is considered the pet dock of the port, which is crammed full of ships, I may say, all the year round from gate to gate; in fact, it is most inconveniently packed. The cost of that dock, exclusive of land, was about 700,000*l.*; the tonnage dues, and the dues on goods, have averaged about 36,000*l.* a year, which is about 5*l.* per cent. From that you must deduct the charges of maintenance of staff and works, and of everything connected with the working of such a costly dock; therefore it follows that there would be no dividend to pay, or probably a dividend of 2½ or 3 per cent. You will naturally inquire how it is that the debt has been so much reduced. The surplus of income last year exceeded 100,000*l.*, and this has been going on of late years to a greater extent. Formerly the Corporation gave the land to make the docks; but since the dock estate became more independent the debt has gone on diminishing by the small profits, year after year, reducing it to its present condition; but if the capital had been expended by a company, and there had been any dividends to appropriate for private emolument, then it is clear there would have been no accumulation, and no diminishing of the original debt; therefore the public are gaining all the advantages of the expenditure of 9,000,000*l.*, and are only called upon to pay the dues upon merchandise and tonnage to pay the interest of 3,400,000*l.*; therefore, I think it pretty clear that it would be absolutely impossible for any company of individuals to establish docks on the Mersey with

(*a*) This appears to be a mistake, and to be an estimate of the sum total received from dues from 1709 to 1847, *plus*, the existing bond debt. See letter to J. B. Moore, Esq., Oct., 1848, and *post*, 15.

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any prospect, whatever, of remuneration to themselves. Graving docks are very important adjuncts to general docks; we provide them, but not with a view to profit: they would not pay 2½ per cent., but they are so necesasry in a port that we provide them, and, therefore, this makes one part of the great whole of this scheme for the general accommodation of the trade. The steam trade will not pay anything like what sailing vessels do; the entire income which we derive from steamers, although the tonnage is large, does not exceed about 12,000*l.* a year; therefore that could not pay the interest of any dock, or anything like it. That is treated as a coasting trade: the tonnage and rates from steamers would not pay any body to accommodate them; we put them in with the mass as feeders to the others. The Ocean, that is the Transatlantic steamers, are few; they might possibly pay if you could multiply them, but you cannot do that: the bulk of the steam trade is a coasting trade at low dues, and altogether most unremunerative. The timber trade is unquestionably remunerative for the accommodation afforded.

J. B. Moore, 5 April, 1848.

Graving docks not remunerative.

Steam trade not remunerative.

Timber trade remunerative

Previous to bringing out the present plan, which originated with myself, I made it my business to inquire of all the principal ports as to the accommodation afforded for timber, and the charges upon it; and in order to mature it and to know well what could be done there, I obtained returns from the different ports, from Glasgow, Lancaster, London, Bristol, Gloucester, and Hull; and I have made out a statement of what the charges would be at Birkenhead, upon the printed statement issued by themselves. This table shows a comparative statement of expenses upon a ship of 700 tons, new measurement, and upon her cargo of pine timber, supposed to be 45,000 feet, Customs measure, and rent for one year: Lancaster is 114*l.* 4*s.* less than Liverpool; London, 165*l.* more; Bristol, 45*l.* more; Gloucester, 129*l.* more; Hull, 155*l.* more; Glasgow, 159*l.* less; Birkenhead, 26*l.* more if rafted, and 38*l.* more if landed (*b*); that is Liverpool as it now is; I sent the same questions to every port, and I believe that result to be a fair statement of the charges that would attach to a vessel of 700 tons with a cargo of pine timber. The rent for the timber is a most material item: the dock estate receives 1*s.* 3*d.* a square yard per annum, and I think in some cases it is 1*s.* 6*d.*; it could be afforded at the north end at 3*d.* I have a table showing a comparison on a cargo of timber stacked at the north end, with the rent for a year; it would be 52*l.* 10*s.* less than the present charge in Liverpool, and that arises solely from the rent; but this would be greatly increased were I to deduct the amount incurred in cartage. At Lancaster it would be 61*l.* 14*s.* less than our proposed scheme; at London, 218*l.* more; at Bristol, 98*l.* more; at Gloucester, 182*l.* more; at Hull, 207*l.* more; at Glasgow, 107*l.* less; and at Birkenhead, 90*l.* more if landed, and 96*l.* more if rafted. With the exception

Charges on timber at different ports.

(*b*) See *post*, 54, 56-7 as to these charges. The charge at Liverpool was stated in the table as follows: on ship, 93*l.* 1*s.* 8*d.*; on cargo, 83*l.*; rent, 100*l.*; total, 276*l.* 1*s.* 8*d.*

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J. B. Moore, 5 April, 1848.

of Lancaster and the Clyde, the present and future position of the timber trade at Liverpool show a balance in favour of doing business cheaper at Liverpool than at any other port. There is a saving of 60,000*l.* on cartage besides. These facts lead me to the conclusion that the new docks would be of essential importance to Liverpool, and to the timber trade of England generally. The freight on timber to Liverpool is less than it was; the ship-owners will prefer keeping to Liverpool to going to any other port; they can load out better. I am a ship-owner, and I would always take a lower freight to come home to Liverpool than to London, because of the probability of the ship having to go round to Liverpool in ballast to load out again; the freight is 3*s.* a ton lower to Liverpool. We are not under the necessity of taking up any fresh sums of money for the execution of the float part of the scheme—we have sufficient unexhausted powers; money comes in very freely every week at 5 per cent.; if money should pour in upon us as it has done of late I expect we shall be obliged very soon, probably in a very few weeks, either to stop the supplies, or to reduce the rate of interest; it is for the construction of warehouses that we propose to borrow half a million. It is part of our scheme to give increased accommodation for ship-building purposes; there used to be a great many ship-building yards in Liverpool, but in consequence of the high rent for the ground ship-building has declined, and to make up the same amount of tonnage in the port, youmust join together the iron as well as the wooden ships. There would be a great deal of land near the shore that could be appropriated to ship-building without any injury to the timber trade, and at a rental which would be less than one-fourth what they are now paying. Some of the ship-builders at the south end of the town are paying 1*s.* 6*d.* per square yard per annum; but what weighs heavily with most of the ship-builders, is the uncertainty as to the time they can occupy the ground. The argument has been used by those that have applied to me, "What assurance can we have, if we lay out our money for ship-building purposes, that we can remain here eight or ten years, or a longer period?" therefore, not having the guarantee of being able to continue for a long time in one spot they actually avoid it: they could have assurance of remaining at the north end of the town as long as they pleased. If the ship-building interest is to revive, that is likely to increase the timber trade, unless the iron ships should supersede the wooden ones, which I do not think likely for long voyages.

Decline of ship-building.

Additional loan for warehouses.

We propose to borrow 500,000*l.* for the erection of dock warehouses; that has long been a subject of great interest at Liverpool. There was an admission of the propriety of such a scheme in 1841; since that we have proceeded in the execution of the powers that Parliament thought fit to give the dock estate in the construction of warehouses around the Albert Dock. They are completed and in operation. The benefits consist in the proximity to the dock; and the fact that the merchandise is discharged out of the ship and warehoused without any cartage or expense

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J. B. Moore, 5 April, 1848.

Advantages of warehouses round docks.

of removal; also they expedite very much the discharge of vessels, and there is additional security from there being one management. The advantages are so general and so obvious, that I hardly think it necessary to enumerate them more. The erection of dock warehouses has been opposed by the owners of private warehouses, and very naturally. I think it a matter of equity to the great amount of property invested in private warehouses to carry out the system so as gradually to diminish the infliction of loss necessarily following to the private warehouse owners. The Liverpool merchants are anxious that the dock warehouse system should be carried out; the pressing demands for dock warehouses increase faster than we can carry them out; we have no power to carry them out faster than we have done. We propose to apply a portion of the 500,000*l.* to the construction of warehouses round the Wapping Dock, that is so centrally situate as to be well adapted for the purpose. The 500,000*l.* will more than suffice for the purpose, and leave a balance applicable, as time goes on, for the same object in another Bill. The Brunswick Dock, now occupied by the timber trade, is the second best site in the town. The quay space is wide, and will be amply sufficient for a shed between the warehouse and the dock, which is a very great convenience; that is the principle of the London Docks, except the St. Katharine's, which I think an inconvenient mode of constructing warehouses. The Albert warehouses are on the same principle, but I think it bad; because a shed to work in between the dock and the warehouses is a great advantage. If the warehouses come to the verge of the dock, like St. Katharine's, you must do your wharfage work, before you house your merchandise, under the warehouse itself; there must be such a quantity of space that is lost as warehouse room; independently of that, the disadvantages are great, as, in the case of fire, the shipping actually touches the building. I would adopt a plan similar to the London Docks, with sheds between. I think the advantages of this plan are very great over a dock that comes to the verge of the quay. We come for the present powers upon a positive injunction from Parliament. The clause in the last Act of Parliament was inserted in the Committee of the Lords, certainly not with our wish, nor did we seek such a power at that time. (*c*)

Cross-examined by Mr. Serjeant Wrangham.

I had no instructions from the Dock Committee or the Dock Trustees to insert the clause referred to; therefore, to a certain extent, I was opposed to it. The Dock Trustees have never applied to Parliament to build warehouses upon their docks, for the reason that, in the Albert Dock Act, there was a clause restraining the construction of warehouses on two sides until two years after the other portions had been erected, to afford time for an experiment to see how they would work.

(*c*) It was introduced to meet the opposition of the general merchants, who objected to the destruction of existing warehouses until fresh ones should be built.

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J. B. Moore, 5 April, 1848

Then the Dock Trustees were to carry on the Albert warehouses for a year more before they were to apply for general power to build warehouses in other parts of the town. The warehouse owners, the year before last, conceded the point of the completion of the north-east corner before the time expired. The Albert warehouses, therefore, have been completed, and are now all in operation; and it was in the last Bill that this clause was inserted by Parliament compelling us to seek a general power within two years, which we must do this session, or the time will have elapsed. The attempts made from time to time by certain parties at Liverpool to obtain power for the Dock Trustees to build warehouses have been resisted by that body, as matter of right, in obedience to the then existing Act of Parliament.

Decline of ship-building trade.

The ship-building trade has declined at Liverpool from the high rents for the ground, and the uncertainty of the tenure; stowage room is exceedingly dear at Liverpool. I gave no rate for the rent of ship-building yards. I state that, as to the timber trade, we could afford to let the whole of that land, taking the entire area, at 3*d.* a yard; but I think it probable and reasonable that, as the ship-builders would require some additional works as a slope or slip to communicate with the water, that something higher would be demanded from them; but, if they make the works for their own accommodation, the 3*d.* a yard would apply to all. I take the actual cost of the land when the works are completed, but you will have this more in detail from the engineer. I take 3*d.* a yard rent, calculated on the cost of the land when the works are carried out; I calculate the cost at about 5*s.* a yard when the works are completed; that is calculating the actual cost the land will be obtained for; it is land to be made; part belongs to Lord Derby, and the Duchy of Lancaster claims a part. I calculate the purchase-money and the subsequent making of the land at 5*s.* per yard. We have no compulsory powers to buy it; but we have the offer of the land on certain terms. The terms are not positively agreed to because there are other things to be considered. We have to arrange with the Admiralty about the wall; we have not arranged finally with the Admiralty as to what sort of wall will satisfy them.

Cost of land at north shore.

About forty-five acres of the land intended to be devoted to the timber stowage are already in our possession; that land was bought under the powers of our Act of 1844; it was bought for a monied price; a sum of money was paid for it; in the present instance the land is sold to us under certain conditions of making and giving up a portion of the land to Lord Derby, and releasing the remainder at no cost whatever except the making of certain roads; it will be a cheap work in the present instance.

Cost of land for present north works.

We paid 17,500*l.* for the shore, and there was 1750*l.* besides, or thereabouts; the forty-five acres are part of the whole purchase; the whole plot, so far as I can remember, cost about 1*s.* 3*d.* or 1*s.* 4*d.* per yard; the precise acreage I do not know. There are sixty-four acres of docks upon the land; we offered 226,000*l.* for one of the lots; I think for the lot purchased from the Corporation; I do not remember the acreage;

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the lineal frontage was 1700 yards; the price was somewhere about 16*s.* or 17*s.* a yard. Other land, to the eastward, had been sold at higher prices, because these works naturally gave a value to the land which did not exist before, and that will be extended as the works go to the north; land, comparatively waste, will become worth more money. There is a negotiation pending between Lord Derby and myself; there is no absolute contract. I have an offer in my possession; if we do not agree there is no provision for any money purchase. *J. B. Moore, 5 April, 1848.*

In my calculations as to the relative cheapness of the charges on a cargo of timber, there is a sum for the rent of the land. In the comparison instituted with Birkenhead, the charges are from the rates of the Dock Company, not the Dock Commissioners; the Birkenhead Dock Company requires to make a profit on their transactions, not so the Birkenhead Dock Commissioners. There is no land on the margin of the float at Wallasey other than that in the possession of the Dock Company, so convenient as the land of the north shore. The trade and population are on the Liverpool side; to get there, to go and look at the timber, you have first to go down to the ferry and to cross the water to go up Wallasey Pool to the place of deposit; and if the value of the land bears any relation to what we hear it sells for, it cannot be afforded at anything like the price I have stated. There is land available for stowing timber in the hands of different proprietors in Wallasey Pool, but then you must take into consideration the trouble of getting there. The site at the north is the best I can find in the vicinity of Liverpool. You must always bear in mind that the great bulk of the population, probably 4,000,000, are at the back of Liverpool, and that the demand for the timber will be by that population at the back; therefore I seek for the best place to accommodate the timber trade, with a view to the wants of that large proportion of consumers. All circumstances taken into consideration, I think it better to have a timber dock at the north than at the south end of Liverpool. I suppose the timber trade to be seeking a place that would be most convenient; the trade being located at the south, of course, without very strong reasons, you would not seek to remove it; you want cheapness and convenience; at the north end you have those advantages. It is only now that those additional conveniences are coming into play; the Leeds and Liverpool Canal will be open next month in all probability; that is a convenience not formerly enjoyed, and there are railway termini there only now coming into play. Though there may be objections to removing the timber trade from the place where it is at present located, at the south, I think the north the best and most convenient under existing circumstances. That has not been my opinion always, nor would it be now, if we could keep the trade at the south end of the town: but I say, under circumstances, the north is better. It is so expensive and difficult to remove the trade from one place to another, that I would have it remain there if accommodation could be afforded; that is my only reason at present. Charges on timber.

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J. B. Moore, 5 April, 1848. Inconvenience to navigation.

The inconvenience to the river craft having to come along the front of the docks at the northern end of the town is a drawback, and I believe the only one that can be pointed out; and that is one of very minor importance compared with the scheme, because the craft taking timber up the river would take it as early as possible, and go out of the way of the vessels. There can be no doubt that is a small inconvenience; it is self-evident, inasmuch as the timber would have to be brought all up the river, and that would be so much additional floatage. I call that deliberately an inconvenience; compared with others, it is small. I have stated, when examined as a witness, that small inconvenience to be a reason why the trade ought to be accommodated at the south end. I admit now that is a reason, and that is the drawback to its going to the north; but, compared with the advantages, it is a small, and very small inconvenience. I remember, when the Bill was in Parliament for making the Harrington into a Timber Dock by the Trustees, it was then suggested that the Timber Dock should be formed at the north end of the town, and my evidence was given in favour of having it at the south end of the town instead, so as to keep it where it was; and I would keep it there now if I could. My reasons would be the same now as then; but since there are those additional conveniences at the north, the case is entirely different. I would not remove the trade from one locality to another except as a matter of necessity, because it is an extremely difficult thing to do at any time; and if we could offer the same convenience and the same cheapness of land at the south I should consider it an act of insanity to attempt to remove it; the circumstances are altered entirely. I gave evidence at that time in favour of the site of the Harrington Docks for the timber trade, and I would do so still if you will find me vacant ground to buy, and give the same facilities as have sprung up since the obtaining of the Bill referred to in giving evidence in favour of the south; and I gave as one reason why the accommodation could not be at the north end, the inconvenience from the passing of the timber and the river craft in front of the docks and amongst all the shipping in the port. That is the drawback to the present plan. None of the present conveniences were in existence at that time. I said at that time "that the accommodation should be given only at the south, and because, if it was transferred to the north, the timber would have to be brought up the river in front of all the docks, and would be in the way of the steamers and the whole navigation of the river, and now, by being placed at the south, it is removed from all that." I do not intend to qualify that statement in any way, though I should be perfectly justified in doing so from the altered circumstances and the difference of the conveniences that have since sprung up.

Evidence in 1844.

Unexhausted borrowing powers.

We have power to borrow unexhausted capital—in round numbers, about 1,400,000*l*. That is the sum we have authority to borrow for works not yet executed; there will be a surplus; the cost of the Harrington Dock is deducted from that amount; I cannot separate the

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amount necessary for executing the works authorised but not commenced; you shall have all the details from the treasurer appertaining to each scheme. 1,400,000*l.* is the sum authorised to be raised; I believe the amount spent will be 900,000*l.* upon the Harrington, Wapping, and to finish the North Docks; there will be a surplus of 400,000*l.* more than the works would require; that is the result; I cannot give from memory the items. [Mr. *Austin:* There is no provision in the various Acts appropriating the money; the borrowing powers are applicable to all the works. Mr. Serjeant *Wrangham:* I am not taking the legal objection that they cannot apply the money if the Bill passes. I was anxious to show that the power to raise the money was given upon the faith of certain works being executed that are not commenced.] The works are commenced; 50,000*l.* has been laid out for plant at the Harrington; upwards of 100,000*l.* has been paid for buildings for the Wapping Docks, warehouses, and dwelling-houses: the advances and purchases are going on daily. The treasurer or surveyor will give you the particulars of the sums expended on the works. *J. B. Moore,* 5 April, 1848.

The amount of water area at present available for the shipping at Liverpool is about 104 acres; sixty-seven are in progress and advancing towards completion, and sixteen are not yet begun. The proportion of the acreage to the tonnage was founded on the 104 acres; it was to show that the present docks are overworked, and that they are inconveniently crowded, and have too much business in them; that the ships are not accommodated; I have known upwards of 100 vessels waiting in the river to be docked. A large ship occasionally waits for other reasons than the difficulty of getting in. If the timber trade could be accommodated at the north, the remaining eighty-three acres would afford a fair accommodation to the other trade of the town. The rates were reduced last June; the reduction took place on iron, cotton, salt, and coal; we are bound to reduce our rates when we have two months' surplus; the rates were proposed to be reduced in June, simply as it is the time when the official year of the dock ends, and the accounts are made up to be presented to Parliament. Crowded state of docks. Reduction of rates.

I do not think that a dock, to act merely as a dock *per se*, can be remunerative in the Mersey; with warehouses it might possibly be. The warehouse trade at Liverpool, apart and away from the docks, was a tolerably profitable business; the profit would depend a good deal on the original cost of construction. The cost of the Prince's Dock was about 700,000*l.*; the land was given. An application was made to the Dock Committee, to know if they could accommodate steamers that were in the course of construction with 76 feet beam? We first required an assurance that such vessels would be built, and, on getting that assurance, we gave for answer that we would provide accommodation for any class of vessels that should be built to trade to Liverpool; and if they build the vessels, I have no doubt that we shall find the means of accom- Docks not remunerative. Accommodation for large steamers.

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J. B. Moore, 5 April, 1848.

modating them. At present we have no gates wider than 70 feet; but if they should send a demand for vessels 76 feet wide, I undertake to say that we shall provide such accommodation. I do not know their draught. The sill of the new North Dock is proposed to be a little lower than that of the Prince's Dock.

Cross-examined by Mr. Mereweather.

I am a member of the town council. The present Bill was first brought before the council about the 15th of December; an amendment was moved, that on account of the state of the money market the Bill should be very much limited in its operation, and carried by a majority of six. Memorials were presented against the Bill from eleven of the wards of Liverpool, from the Guardian Society, from the owners of land and houses, from the owners and occupiers of private warehouses, the select vestry, and several others. There was a further meeting of the town council about the 11th of January, and the motion to rescind the amendment was defeated by a majority of eleven, and by a resolution that it was not desirable to proceed with the Bill during the present session. An attempt to rescind the resolution was made on the 25th of the same month, and again defeated. We went on in obedience to the Act of Parliament; and on its being shown to the town council that a clause in the Act made it imperative to go on, and on other grounds, as well as those connected with the rating clause, they consented to the Bill being proceeded with. I said that, as regards the excavation of the Wapping Dock, there would be no inconvenience in postponing the Bill for eighteen months, because it would take, in all probability, some time before we could purchase the property, but not as regards the general postponement of the Bill. There are a great number of private warehouses empty in Liverpool at present. Our own warehouses at the docks are full. The trade at Liverpool is principally import. My own opinion is, that the warehouses would be commenced at the Wapping Dock.

Local opposition to Bill.

Re-examined by Mr. Austin.

The Bill has been framed with a view to the existing Act; we take a general power as to the sites. The private warehouses are not full; the Albert warehouses are very full; the merchants prefer having their goods there; they turn out to be superior to the private warehouses. The Fire Bill was promoted by the town council; it was an important and strong point in that Bill, that, in consequence of the insecurity in respect to the precautions against fire, the warehouse owners were obliged to pay enormous rates. There will be a good deal of excavation from the Wapping and Harrington Docks; if we do not carry out this northern scheme, I know of no other place where we could deposit the spoil; we must either purchase land for the purpose, or get leave from Lord Derby to deposit it, which would be making the land for him. On former occasions we have had the disadvantage of making deposits and then

Deposit of spoil from central docks.

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buying them back again as land; that is what I wish to obviate in this instance. The excavations of the Albert Dock went to the northern end, and everything we put there we had to buy back at a great price. I want to secure the site, and have the advantage of our own excavations; therefore the question of price which we may have given for foreshore land in other parts does not affect the present question: the offer has been made to us, and is left for our acceptance. *J. B. Moore.* 5 April, 1848.

The floatage of the timber in front of the docks will be very much diminished by the altered circumstances, so that it will not be by any means so great an inconvenience now as formerly. The floatage across the river would be much more inconvenient than up the river; you must make a great angle; it would block up and be in the way of all the shipping. The consumption of timber for the town is about 40,000 or 50,000 tons; the estimate made on the authority of the timber merchants is that about 45 per cent. goes by water at present. The cost of the Liverpool Docks is about 9,000,000*l.*, (*d*) and the present debt 3,400,000*l.*, including the money spent on the works about to be opened. Originally the docks were under the control of the Corporation; the land was given by the Corporation, and the docks were made by the Corporation; that will account for the debt being so small compared with the enormous amount of expenditure on the docks themselves during a period of 142 years. My position is, that no docks can pay a dividend in competition with these docks. Instead of dividing dividends or profits, whatever they have been, they have been merged, and they have been going on in reduction of the cost for 140 years; therefore, any persons starting docks would have to come into competition with docks paying no dividends, and with a debt of a little more than one-third of the real cost. Floatage of timber. Competing docks in the Mersey unable to pay a dividend.

There has been a most remarkable increase in the timber trade in Liverpool in the last four years—from 17 to 30 millions of pieces. Even Baltic timber can be imported into Liverpool; they get back cargoes of salt, which they cannot get in London; but my remark applied principally to the North American timber. Increase in the timber trade.

(*d*) This appears to be a mistake. A letter from Mr. Thomas Moore, Vice-Chairman of the Audit Commissioners, was received by the Liverpool Dock Committee on the 12th of August, 1847, purporting to contain an appropriate estimate of the cost of the docks; but this estimate turns out on examination to be an estimate of the sum total of dues *received* from 1709 to 1847.

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Robt. Rankin, 5 April, 1848.

Robert Rankin, examined by Mr. Venables.

I am a member of the Dock Committee, and elected by the ratepayers; my firm has extensive commercial connexions in Liverpool, Glasgow, and foreign parts, principally in the timber trade. The want of accommodation for that trade at Liverpool is a barrier to its further extension. Ground for piling the timber cannot be had at the south end of the town; all things considered, I think the north end affords the best facilities for carrying on the timber trade at Liverpool; I would not altogether exclude the portion at the south, so as to suit the convenience of those who choose to go there. I believe it to be the intention of the Dock Committee to give facilities at the south end for a portion of the timber trade. There will be some inconvenience for floatage past the docks, but it may be obviated. The craft would leave at an early time of the tide, when there are fewer cargo vessels passing; there would be no occasion then for the large timber ships passing to the south.

Portion of timber to be kept at the south.

Cross-examined by Mr. Serjeant Wrangham.

I think it desirable to keep the timber trade at the south to a limited extent; it would possess all the conveniences of the north end for the timber going up the river, and perhaps a little more. The inconveniences of the south end would not be diminished if the Harrington Dock were enlarged under the powers obtained in 1844; we do not want water space so much as ground to pile the timber on.

Thursday, 6th April, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

J. Smith, 6 April, 1848.

James Smith, examined by Mr. Talbot.

I am engaged in the timber trade at Liverpool. It is extremely desirable that the timber trade should be removed from the south to the north end; I do not think it possible that the trade can be conducted more then two or three years longer in its present situation. Land has during the last few years been appropriated there to warehouses, gasworks, and has become exceedingly valuable, and there is not sufficient space there; in the next place, the trade is entirely dependent on the Dock Committee permitting the land that was some time ago bought for the purpose of a dock to be employed for depositing timber, and that at a very high rent. I have 5000 yards of land, for which I pay 1*s.* 6*d.* per yard per annum; and 5000 at 1*s.* 3*d.*, and 5000 at 1*s.*, and 12,000 at a greater distance from the Brunswick Dock, and consequently a heavier per cartage, at 8*d.* I heard Mr. Bramley Moore's evidence, that the Dock Committee will be able to furnish us with land and water space

Rent for stowage at south end.

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at a maximum rent of 3*d.* a yard per annum, which I consider a most economical rate, and one at which the trade can be most advantageously conducted. The want of water stowage has been much felt, and whatever difference of opinion there may be in the trade as to keeping deal timber in water, there is none as to hard woods. I have watched the growth and progress of the timber trade in Liverpool for thirty years. It is now three or four times the extent it was in 1818; and I should say it will increase. Liverpool has lost the Welsh trade for want of facilities, and by reason of the local expense. I recollect the time when scarcely any timber was imported into the smaller ports of Wales. They had their supplies from Liverpool. For some years past vessels have been taken up from those ports at ten per cent. more freight than is paid into Liverpool; and if the local expenses of Liverpool were reduced, I think it would be more advantageous to come to so large a market and purchase what was immediately wanted; less capital would be required; and my impression is, that we should recover a very large portion of the Welsh trade: that is impossible as things now are. I do not think the wholesale timber trade can be divided. There is nothing prejudicial in the distance to the north end as compared with the south; we should get to the Exchange from the site of the proposed timber ponds in less time than at present; there are conveyances and a stream of traffic to the north, but not to the south. Rather more than one-sixth of the timber is consumed on the spot; the cartage from the south end to the Leeds and Liverpool Canal is about three-and-a-half per cent. on the present price of colonial timber; about twenty-five per cent. of the timber sent into the interior goes by railway and the Leeds and Liverpool Canal, and seventy-five per cent. by the river up to Runcorn. There will always be a large quantity of timber forwarded by water to Manchester from the saw-mills being situated on the river; a boat could load from the timber ponds and go to the saw-mills without shifting the timber.

J. Smith, 6 April, 1848.

Timber trade to Wales.

William Mann, *examined by* Mr. Venables.

W. Mann.

I am a ship-owner at Liverpool, and a member of the Dock Committee; and a land-owner at, and a commissioner of, Wallasey. The advantages of the warehouses connected with the docks, as compared with the private warehouses, are very great. There will be no inconvenience in getting the timber in and out of the float into the docks and river: it can be done four or five hours before and after high water. I am a member of the corporation of Liverpool.

Percival Austen, *examined by* Mr. Burke.

P. Austen

I am chief clerk of the Dock Estate Warehouses in Liverpool; they have been open since August, 1846; they are now full. The private warehouses are not full. The rates for warehousing are fixed, under the Act of the 4th of Victoria, by the Dock Committee, subject to the

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P. Austen, 6 April, 1848.

control of the chief magistrate of the borough; they remain, after annual revision, fixed for the period of one year. I had been connected with a warehouse in London for nineteen years. I think advantages have resulted to the public from the construction of warehouses on the dock quays at Liverpool, and that further advantages will result from the construction of other warehouses on the dock quays. Security to the merchant and to the Government as regards revenue are among the advantages; the goods are not parted with until the revenue is collected; the ship-owner obtains despatch in the discharge of his cargo; he has the advantage of machinery and of experienced workmen. By the Act (4 Vict. c. 30) by which the Albert warehouses are regulated, the lien for the freight is preserved while the goods are in the warehouses, provided notice be given within a certain time. The ship-owner can give notice to detain those goods until he has given a certificate for the payment of the freight; that is a great security to ship-owners. The convenience of the owners of bills of lading is promoted, as the goods are kept in the warehouses until the bills of lading are produced. The Dock Trustees are enabled under the Act to give a warrant of delivery, which is evidence of a title to the goods. Persons making advances on warehoused goods derive considerable security from the system of warrants; it gives them a security to the full amount of the market value of the goods. Those regulations belong peculiarly to the warehouses of the Dock Trustees, and not to the private warehouses in the town; the employment of competent persons for stowing and sorting the goods is found to be a great advantage. In the silk trade, an opportunity is presented of sorting the raw silk and separating the quality with reference to its fineness and colour, so as to enable the purchaser to purchase the precise quantity he requires. The whole of the silk in Liverpool, at the time the Albert Dock was opened, was sent from the private warehouses to the Albert Dock warehouses, on account of the conveniences referred to. From the classification adopted in the stowage of goods any particular package can be obtained at a moment's notice. If the officers of revenue require to ascertain the value of an article, the duty being paid upon its importation, the sorting is permitted before the goods are weighed. When goods are sent to the private warehouses the sorting is not allowed to take place in the first instance; the goods are weighed on the quays as they are taken out of the ship at the ship's side, and then taken to the private warehouses, whereas in the warehouses of the Dock Trustees, the officers of revenue allow the goods to be sorted before they are weighed; that affords considerable security to the purchasers of goods, because they know that what they purchase is equal to the sample. Coffee is stowed in the warehouses of the Dock Trustees in double tiers, with alleys between, so that packages can be got at. The Dock Trustees afford both space and convenience for the purpose of separating the coffee and mixing it again, which enables the samples to fairly represent the goods; these advantages have been generally recognised by the trade of

Advantages of dock warehouses.

Lien on goods for freight.

Dock warrants.

Advantages for sorting goods.

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Liverpool. The system of searching persons before they leave the premises is objected to. *P. Austen,* 6 April, 1848.

Cross-examined by Mr. Mereweather.

I am not aware that the transfer order of a private warehouse is equal to our warrant; the increased space at the warehouses of the trustees affords superior conveniences for classification. I do not mean to say there is no classification at the private warehouses. At the docks having warehouses I have seen three tiers of vessels lying abreast of each other at the same time; there has been a large space in the middle unoccupied by vessels; a vessel as soon as discharged is turned out if the space is wanted; the owner has notice to remove it. There are goods that are landed and taken to account from the quays by the revenue, and not sorted prior to weighing; having been so taken to account, that account is unalterable. The Government authorities do not allow private warehouse owners the same privileges as to sorting that they allow us; they do not allow goods to be sorted before weighing; that is a special permission conceded to our warehouses, and not conceded to the private warehouses. I do not recollect any complaints as to the bad sorting of East India produce at our docks; they are not lodged with me; I do not know of any removals from the public to private warehouses. I know that objections were raised in consequence of regulations imposing certain restrictions for the security of property. Our warehouses would, under the general warehousing Act, be considered special security warehouses. The Albert is used as an import dock only; it is not used at all as an export dock. I have known coffee, indigo, sugar, and other articles removed from the private to our warehouses.

John Barnard Hartley, examined by Mr. Austin. *J. B. Hartley.*

Description of works.

In conjunction with my father I have prepared the plans for the proposed improvements under the present Bill. The deposited plan shows a large float for the reception of vessels communicating with the river through an open basin, with two locks and two sixty-feet gates. The float internally will be a large sheet of water, 450 feet in width, and excavated to the depth of nine feet below the old dock sill; beyond this there is nothing definite. The tide will be allowed to flow over such part as is not made into ground for the reception of timber, and as the trade increases requiring dry ground for the reception of the timber, we shall make that ground out of the floating space. About 45 acres will be deep water—a dock, properly speaking, without walls; a place for the entrance and discharge of timber vessels; the timber will be thrust out of the vessel into the water in the same way as at Hull. The part of the dock not excavated will be the natural shore of the river. The rest of the inclosure will be made ground above the level of the tide, for the purpose of storing the timber on dry ground. Parties may choose the dry or wet stowage; there are two opinions on this point, both which we

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J. B. Hartley, 6 April, 1848.

meet by the present plan. The gates were to have been sixty feet. Since the plan was deposited the Board of Ordnance has given us to understand, that if we carry these works out, the fort which we have been partly constructing must be removed to the north; the removal of that fort will enable us to alter the plan, and to improve it, inasmuch as we shall get a more direct communication with the existing docks. The deposited plan shows about 53 acres of dry stowage; but about 50 acres of land already acquired will be applicable for that purpose; the timber dock may be increased about 16 acres; if the plan, as proposed to be altered, be carried out, there would be about 100 acres of dry stowage, 61 acres of dock, and an entrance to that dock inside the tidal basin already partly constructed. The width of the entrance is 200 feet, and the gates to the dock might be of any width deemed necessary for vessels of the largest possible beam. It is contemplated making a very wide pair of gates there. There will be land also for ship-building, and particularly the width between the dock and the river wall, and at the extreme north, where there is greater depth.

Area of works.

Estimate.

The works present no difficulty worth mentioning; the river wall will be built in continuation of the present, about 1750 yards in length; we shall have a portion of the stone for the wall from the works already in progress at the north end; the navigation of the river will be improved by the wall. The estimate for the works according to the deposited plan is 340,000*l.* The details are: dry basin, 34,233*l.*; two sixty-feet entrances, 59,268*l.*; the float, 49,181*l.*; river wall, 112,673*l.*; making land and yards, 80,144*l.*; the excavations are divided between the river wall and the float. That estimate is calculated entirely independent of the stone and the excavations from the Wapping Dock; as if we had to find all the materials. There will be a considerable saving by the amended plan, the comparative advantages being considered; the total cost will be more, namely, 352,000*l.* The excavations from the Harrington and Wapping Docks will be about sufficient to make up the new works; it is a clear advantage to us to be enabled to deposit the stuff there. Inasmuch as we get the whole of the land for nothing, we shall be able to diminish the charges upon the timber; it is merely the expense of making the land; we should be obliged to shift the excavations, so that, in fact, it may be said we gain by making the ground. The items of the amended plan are: river wall, 1900 yards, 77,710*l.*; excavations, 129,888*l.*; masonry, 12,448*l.*; contingencies, 33,000*l.* The total of that, the timber part, is 253,046*l.*; the half-tide basin and excavations, 39,073*l.*; masonry, 39,713*l.*; gates and bridges, 12,000*l.*; contingencies, 9083*l.*; making a total of 99,864*l.*, which, added to the other, gives 352,917*l.*; for sewers, 8500*l.*; total, say 361,000*l.* The cost of the works for which we have at present no parliamentary powers, would be about 270,000*l.*; we have ready the plant with which we have been constructing the fifty-four acres of dock space.

Land taken under Act of 1844.

I can give you the details of the land under the Act of 1844: for the

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land south of Beacon's Gutter we had to pay various prices to the Corporation, Mr. Lee, my Lord Derby, and others. For the land north of Beacon's Gutter we obtained the permission of the Duchy to take in 1000 lineal yards northwards; that cost us nearly 18,000*l.*, the southern portion cost us about 400,000*l.*, and the rest 18,000*l.*; that division is mentioned in the Act, in the 137th and 138th sections (7th and 8th Victoria, cap. 80). *J. B. Hartley,* 6 April, 1848.

The large gates I spoke of within the tidal basin would afford the entrance for the timber vessels and the exit for the timber floats; the floats when loaded draw about four feet water; the ships would enter and come out about an hour-and-a-half before and after high water; the floats would go in and come out as soon as there were four feet of water, so that the two trades would be carried on at different times of the tide. The floats must leave early, on account of getting up to Runcorn with the first of the flood. The connexion between the timber float and the canal, on the amended plan, will be through the open basin, or by going into the river, where there is a lock now constructed. There would be no more inconvenience attending that than in the other docks where the same trade exists. The trade of the docks cannot be carried on without the small craft; the timber floats can go wherever the small craft goes, and be managed in the same manner. Period of departure of timber floats.

We shall lay a connexion between the railway and all the docks, and the timber would be put on the railway immediately out of the float; and each timber merchant will have a connexion with the railway from his own yard.

The distance from the river wall to the margin of the dock is 100 feet; that ground may be made applicable for ship-building yards. I have reserved a parade of twenty feet, and that will leave eighty feet for the ship-building; the vessels must be launched into the dock or over the parade, as in other places; where we have ship-building in the Mersey there is no parade. Ship-building yards.

Cross-examined by Mr. Serjeant Wrangham.

The basin from the river would be the entrance to about eighty acres of dock and the float; there have been instances in which vessels could not get into the docks from the weather, but they are very rare; I only remember one. The facility of entrance is not generally much affected by weather. I have seen vessels dock at the half-tide entrances when it has been blowing very heavily. In 1844 it was in our contemplation to protect the entrance to the north; we showed a mole or breakwater, and there was considerable discussion about it; the carrying out of these works have shown it not to be necessary; at the time, I expected it would be necessary. We have opened no new entrance yet, but we see the effect of the sea at the entrances; I judge from the sea there and at the entrances in use. The entrance to the tidal basin is 200 feet wide;

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J. B. Hartley, 6 April, 1848.

there is not a heavier sea there than at the Coburg Dock. We shall have less sea as we get further north; the building the river wall will prevent more sea in the line of that wall than exists on that line at present; there may be a greater run of tide along the wall and across the entrance, but not more sea. There is no fixed intention as to the level at which we shall keep the water in the float.

Friday, 7th April, 1848.

LORD C. WELLESLEY IN THE CHAIR.

J. B. Hartley, further cross-examined by Mr. Serjeant Wrangham.

There has been no fixed level talked about or settled at which the water in the float should be retained. It would be desirable to keep the level as nearly as possible uniform. The higher the level the better; for, if we can maintain a high level, there will not be so much water going in at the springs; the first water takes in so much more deposit along with it, that the higher the level we can maintain the better; we shall let as little water out as possible. For that reason we should use the half-tide basin as much as possible, and keep the gates closed. The scheme is, that the basin should act as a large lock. A vessel or timber raft could be brought out into the half-tide basin, and the gates would be closed before passing it onwards. The trade at present, including the timber and the other trade going up the river, on the average of one day with another, may amount to 30 or 40 vessels going up and down in a tide.

Area of timber float.

The area of water surface in the dock and float together would amount to about 114 acres; that will not depend on the level of the water; a nine-foot tide, the lowest tide we have, will flow over the whole of that surface; the highest part of the ground for the timber float is about nine feet above the old dock sill; if we make no excavation, the land and water would meet there. We do not propose at first to excavate more than sufficient to allow the timber to get up to the yards. I cannot give you the area of the space at the south end of the town available for the stowage of timber; the timber is very much scattered about; it is stowed in various places. I should say, speaking generally, that the space at the south was not equal to what there would be at the north end. Lord Derby owns all the property we propose to acquire up to the shore, and above that it is all leased. If parties cannot find sufficient accommodation on our ground, they will have to bargain with Lord Derby or his lessees. The value of that land will increase very much when the dock is made; as the docks moved southwards, the land acquired a very different value to that which it had before. The Board of Ordnance will require us to move the fort; we find ground elsewhere, and pay a certain

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sum towards it; that is not included in the 361,000*l.* The sum paid for what we have done, though we merely put in the foundations, is 20,000*l.* The cost of the other portion of the works upon the land we are seeking to take from Lord Derby, will be 173,000*l.*; we are not to pay Lord Derby anything; we make a certain portion of ground for Lord Derby, and we have possession given us of the remainder of the strand for making it. I cannot tell you whether there is any binding agreement with Lord Derby; that was a question for the chairman to have answered. If the Bill should pass, and Lord Derby should withhold his consent, it will not be practicable to execute the works; the estimate and the power to execute the works are all contingent on Lord Derby's consent; we do not take compulsory powers. The calculation of 3*d.* a yard is founded upon the supposition that we get the land for nothing, and are only at the expense of the works; the cost of works upon the whole of the land taken from Lord Derby is 173,000*l.*, and there are 844,000 square yards, which you will find is rather more than 4*s.* 1*d.* per square yard. The land and water will be that, less 252,000 square yards; there will be about 600,000 square yards of land and water for floating timber. I have nothing to do with the letting of the land; I show what it costs; I should say that land covered with water would be equally valuable for timber purposes; the timber could be piled to the same height in water as on land, but not so as to float it when piled.

J. B. Hartley, 7 April, 1848.

I do not apprehend more silting up than at the other docks, and not so much as at some of them. There are portions of the shore further south more exposed than this; it is under the Cheshire shore, and not exposed to the wind down Wallasey Pool; the Coburg Dock is most exposed of any. We shall remove the silt by sluicing at the entrance of the half-tide basin from the float; there will be less silting in the float than in the other docks, because the water will be changed less. All the open basins silt more or less; the passages to the docks are maintained at the depth to which they were excavated, but not the rest of the basins. They were not constructed in the manner originally to allow of their being kept to that depth; the channel is kept open by scuttling and sluicing, and throwing the stuff into the run of the water. We do not anticipate the necessity for a similar operation in the new basin to the same extent, because we are putting sluices all round it. Our sills generally are below the old dock sill on an average of two feet; that depends on the situation of Pluckington Bank. We have no difficulty in keeping an access to the docks at as great a depth of water as we have over the sills; and we can get more. We dredge in the docks but not in the river. There is an accumulation of sand at Seacomb of a similar character to what we have. I had some communication with Mr. Rendel as to what I wanted doing there; I supplied the figures contained in the clause; (*e*) when they would not alter the plan we got what we could, which

Silting and sluicing in new works.

(*e*) See 7 & 8 Vict. c. 79, s. 134.

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J. B. Hartley, 7 April, 1848.

was an enclosure to the south, and I settled it in committee with Mr. Rendel.

The site selected for the stowage of the timber is the most convenient of any with which I am acquainted; I am not aware of any place on the opposite shore giving the same convenience. I think it doubtful whether better accommodation could be had at Birkenhead.

Depths of sills at Liverpool.

The lowest sill on our side is about six feet below the old dock sill; that is as low as we can keep them clear; they would have as much difficulty in keeping the sills lower than that on the other side as we should have. From our being on the lee shore we should get more deposit; the accumulation would be larger, and the difficulty of scouring it greater under similar circumstances. If we had no deposit we should lay our sills lower. With the lowest neap tides the largest vessels cannot go over the sills; the timber vessels are of considerable size; with certain tides vessels drawing 20 or 18 feet could not get in; the prevailing winds are from south-west to north-west; the average of spring tides ebb as much as 700 or 800 yards from the dock entrances; the foundation for the river wall is strong clay generally; its cost will be about 31*l.* per running yard.

Re-examined by Mr. Venables.

The basin referred to is nearly finished; the proposed scheme will not affect that, except that it will be used by an additional number of vessels. I have had occasion very maturely to consider the depth of the dock sills; the sill of the Clarence Dock was laid eighteen inches lower, and we were obliged to raise it to the usual level. I think that on both sides of the river, and in any situation in the neighbourhood of Liverpool, there would be difficulty in keeping the sills lower than the Liverpool Dock sills. A lee shore is advantageous for docking vessels; they drag alongside of and work along the walls.

Raising of sill of Clarence Dock.

By the amended plan we save the expense of the additional basin which is merged into the dock; the basin now being constructed will answer the purpose. There will be five entrances into the docks that are now making, and communication also through the other docks and entrances to all the other docks to the south, as far as the Prince's Basin. The entrance of 200 feet to the basin will be sufficient for the timber trade and also for the general trade, inasmuch as the timber will go away very early in the tide. The timber floats require about four feet of water; they can be locked out at any time; they would go away from the basin earlier than the vessels; there is plenty of room for warehouses about the New North Docks, and no engineering difficulty; the Albert Dock is the only one at present that has the accommodation of warehouses.

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William Cubitt, examined by Mr. Talbot.

W. Cubitt, 7 April, 1848.

I am acquainted with the Liverpool Docks and the Mersey, and the scheme now before the Committee. The construction of the river wall on the line proposed will be beneficial to the navigation of the river generally, and the further it is extended in a proper direction the more beneficial it will be. I do not anticipate any difficulty from the set of the tide or wind at the entrance of the basin greater than at the entrances to the existing docks at the northward; the entrance will be so much covered by the long north wall as to remedy any ill effects from the waves or the run of the tide. I apprehend no more difficulty in keeping those entrances free from silt, or probably not so much, as exists in the present docks at the south; the water will be very much stilled upon the bottom, from the face being an upright shore; the waves will not run so deep nor mount so high as upon the sloping shore to the northward. It has been found that since the extension of the new north docks the entrance to the docks immediately to the southward has been much improved, contrary to the anticipations of some parties; there has been smoother water and less deposit I believe. I think the proposed addition to the docks judicious and necessary, inasmuch as there is not dock room enough in Liverpool at present. I have been in the habit of constructing docks without walled sides, as the timber dock is to be. That construction produces considerable economy; there is no wall except at the entrances; the river wall is simply to enclose the land. I think it desirable to have a very long canal for the vessels to lie in, and to portion out the floating and land stowage separately; some merchants prefer the one and some the other; it affords also the means of bonding afloat or dry. I know the cost of works going on at Liverpool previously, and I have gone over Mr. Hartley's estimates, and I find they are taken at as high prices as it has cost them to execute similar works; I know also from the works under my direction at the Duke's Dock that the estimates are quite sufficient.

Entrances to docks improved by north works.

Cross-examined by Mr. Serjeant Wrangham.

Looking at the various works, I believe there is not sufficient accommodation for the timber trade in Liverpool at present; that makes it commercially necessary. I think it commercially adequate for that purpose. If we can obtain land for next to nothing, in order to build a large timber depôt upon, it will prove commercially advantageous. I have not gone into the statistics of the question; I look at it as an engineering work of a simple character, and as affording a great amount of convenience to the timber trade. I do not know whether it is the most convenient place in the Mersey; it is the most convenient place at or near Liverpool. I do not say accommodation might not be made in other places, but I do not think so conveniently for the timber trade. Timber docks might be made, no doubt, upon the shores of the Mersey, in more than one place, but not at the same cost, in proportion to the

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W. Cubitt, 7 April, 1848.

business to be done. It would be desirable to have the docks accessible at all times of the tide, but that is not of so much importance in that particular trade as in many others. It is of little importance to the timber trade whether a ship comes in at 6, or 9, or 12 o'clock. You might pass 100 ships into those docks in a tide; the vessels are not all of the same size; they would begin to come in as early as they liked by locking the smaller ones into the basin, and as soon as the tide made its rush they would run the larger in, and lock them further up by the new basin of the main dock; and when we consider that an inch of water in the inner basin would raise the water a foot in the half-tide basin, there would be very little trouble in passing 100 vessels a tide. I do not say the timber could be got out in such a time. The tide ranges from 11 to 19 feet, or thereabouts, taking neaps and springs, and that will allow vessels from 16 or 17 up to 20 feet draught to enter. For removing the present difficulties of the timber trade at Liverpool I think the present a very good step; if any other people come forward, and do the thing better and cheaper, it is fair competition. I do not say that if the trade is sufficiently accommodated any other would be more than what was wanted. I have no apprehension of this being the less used; the trade, generally, is on the increase, and if other docks were made they might have some business. I was strongly in favour of docks on the other side of the river; I am speaking now engineeringly. I supported Mr. Rendel's plan for those docks, according to the plan he laid down, and a most ingenious plan it was; in principle it would be the same as these docks, and therefore I cannot have an opinion here, but that what I supported would answer the purpose; if done as I expected it would have been done, and done quickly, it would have been grand in an engineering point of view.

New works same in principle as at Birkenhead.

Low-water basin at Birkenhead.

I particularly expressed my approbation of the low-water basin outside the float; if he can ever make it, and keep it open, it will be a very great acquisition. I was of opinion that it was perfectly feasible in the way Mr. Rendel proposed, and if he can carry out his views it is so. The plan was to produce a current at the bottom of the basin instead of the top of it. It is a plan which I have never seen carried into practice effectually, and I am very anxious to see it. I was strongly of opinion that it would be successful when brought into operation, if carried out as was expected; and if it would act as proposed, I thought then, and admit now, it would be an advantage. I gave Mr. Rendel the benefit of my advice upon the subject after his plans were matured, not before; they certainly met with my approbation. I do not think that those plans, so carried out, will produce a dock and basin of a character superior to those now proposed. I do not think they can make better accommodation for timber unless the works are finished. The general scheme was completed before I saw it; I went into the details upon the subject, and gave evidence upon it; I supported Mr. Rendel as an engineer. I conferred with Mr. Rendel before he decided upon his plan; I think the plan was not altered; I approved of it on the principle upon which it was laid down for the low-water

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basin, and a sill to be kept clear from silting. A great question is now, and was then, whether such a basin can be kept clear by the means proposed; both Mr. Rendel and I thought it could. We were of opinion that the system of bottom sluicing would keep the basin completely clear; and I think so still, if nothing intervened; we are all, sometimes, disappointed; at present it remains a matter of theory; a theory which had, and has my assent; I want to see it tried. Whether, if completely carried out, it will be a vast benefit to the port, depends upon the prices at which accommodation can be afforded. If the trade goes on increasing as it has done we shall fill up Liverpool, and still have enough for that. *W. Cubitt*, 7 April, 1848

Whether there is less deposit on the Cheshire than on the Liverpool shore of the Mersey, depends on the particular part of the shore. The entrance to the Birkenhead Docks is about the best place on the Cheshire side of the water for the construction of an entrance; it is the deepest water with a rocky bottom; it is the best point that could be selected for the purpose in the neighbourhood of Liverpool. I have nothing to say now upon the plan but what I said then; if you will refer to my evidence, and read it to me, I will admit it. (*f*) I had no idea of giving an opinion as to the advantages; I gave an opinion as to the engineering. The commercial advantages I do not remember giving evidence on; if Mr. Rendel can carry out all he has proposed, it will give to the port great means of commercial enterprise. (*g*) If they make a basin with its bottom twelve feet below low water, and I can step on board a steamer instead of going out in a boat in rough weather, as I have had to do, it will be a great accommodation. I adhere to the opinion that a basin of that kind cannot be afforded in any other part of the Mersey; but it is not made yet. I have no doubt of the practicability of making it, and, I hope, of keeping it open when made. I do not know of any better mode than as proposed of keeping it open. I still adhere to the opinion that the flow of a large quantity of water through the basin will have the effect of preventing the deposit. Advantages of Birkenhead works.

We cannot lay the sills so deep on the Liverpool side as we can just in that one spot selected by Mr. Rendel. We could not have a low-water basin twelve feet deep at Liverpool. I do not know that we should want it; if we could, it would cost more to make than it would be worth. I should be proud to see all carried out practically that I think theoretically correct; in the mean time, you have the benefit of my opinion as to its practicability. I do not wish to fence off anything I have said before. Lower sills at Birkenhead than at Liverpool.

(*f*) See "Port and Docks of Birkenhead," p. 25-32, and p. 121-123.

(*g*) The witness was here referred to his evidence in 1844 as to the advantage of the low-water basin.—*Ibid*, p. 121.

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W. Cubitt, 7 April, 1848.

Re-examined by Mr. Talbot.

Though a low-water basin there may not be, the plan proposed will adequately work a large timber trade; the bulk of the vessels, not looking to the largest, may enter this basin every tide. I never advocated the Birkenhead scheme other than engineeringly. I stated its capability for accommodating a great quantity of trade, and I say so still. I never supported the Birkenhead scheme to the exclusion of the right of Liverpool to improve its own dock system. If all be done at Liverpool to the extent of the parliamentary powers, the present Bill included, there will still be enough trade for all they can do at Birkenhead, provided they offer it upon reasonable terms. The Dock Trustees are not coming for anything more than they want. The timber trade cannot be accommodated at the south; it is possible that an immense amount may be done there, but it is a necessary change. The south end will suit other trades that are much wanted better than the north end; and the north end will suit the timber trade better than the south, and it is an excellent exchange.

T. Hodgson.

Thomas Hodgson, examined by Mr. Venables.

Arrangement for timber floats.

I am the senior harbour-master at Liverpool. The increase in the traffic from the timber will not impede the navigation under judicious arrangements. There must be special arrangements for the purpose; namely, by letting out early, so as to get past the dock entrances before we commence the general business of the docks. I cannot see any inconvenience in that course. Under these circumstances there will be no inconvenience to the navigation; I should start the timber floats as soon as there was water enough over the sills; they would pass out of the docks previous to any vessels going over the sills.

Cross-examined by Mr. Serjeant Wrangham.

I should commence to start the floats as soon as there was water enough over the dock sills; that would be after the two first hours of the flood. We might sometimes commence earlier. We should get the vessels out as quickly as we could; they would be out by half tide; I am not aware of the intended size of the lock. The general bulk of vessels come in two hours before high water; at half tide there are sometimes a great number of vessels proceeding up the river; from fifty to seventy and eighty vessels may have arrived at one tide. Vessels of light draughts of water can get into dock about half tide; generally speaking, they do not enter so early; they lie alongside the piers until the tide enables them to get in. I think 100 vessels may have arrived in a tide after a change of wind, but I will not say more. Those that intend to enter the docks

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lie alongside the piers; the others anchor in the river. The timber floats would be no inconvenience if they keep in the centre of the river. I do not apprehend any inconvenience in carrying on the timber trade along the front of the docks with the number of vessels arriving that has been spoken of. We have docked vessels when it has been blowing heavily from all parts of the compass; we have had great difficulties sometimes nevertheless; but none that we have not been able to overcome. Vessels coming alongside the wall may get rubbed, but I have never heard of a serious accident. I never heard of vessels being wrecked in the docks at Liverpool; I have heard of their being damaged by breaking a rib; that has been owing to their own ropes breaking by sudden squalls after they are inside the gates. I have heard of large rewards being offered for vessels beating about in the river to be taken by a steam-tug into the docks. Damage has occurred to shipping in the docks at Liverpool from bad weather, but that has been owing principally to their own improper mooring.

W. Cubitt, 7 April, 1848.

Mr. Mereweather opened the case of the warehouse owners and ratepayers against the Bill.

Richard Harbord, examined by Mr. Mereweather. *R. Harbord.*

I am the owner of warehouses at Liverpool, and have been engaged in business there twenty years. The warehouse property with which I am connected as owner and lessee is of the value of 230,000*l.*, as near as I can calculate; that represents a rental of about 14,000*l.* a year, exclusive of land-tax; the parochial and other rates for that property exceeded 3000*l.* during the last year; that is for the local rates; there are about a dozen rates altogether to which we are subject.

The number of private warehouses in Liverpool is about 1400; of these 1000 are used for general commercial purposes, and the remainder for private trade. By commercial purposes, I mean the reception of merchandise and stores discharged from vessels. The other 400 are used for manufactured goods from the interior. I have contracted with very extensive merchants for the deposit of their goods. One house, whose produce I had received for fifteen years, requested that they might deviate from their agreement, which I sanctioned, so that they might be enabled to use the Albert Dock. That dock was used on two occasions when two cargoes were discharged, but the persons were so well satisfied with the accommodation that could be had at the transit sheds at the Prince's Dock, that they declined sending any more goods to the Albert Dock. Nearly two-thirds of the private warehouses in Liverpool at present are empty. Persons are making arrangements for employing a part of the warehouses to avoid the expenses and parochial rates. The warehouses

Private warehouses.

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R. Harbord, 7 April, 1848.

are subject to precisely the same rates as inhabited houses; the probability of a portion of the rates being withdrawn is viewed with dismay at Liverpool. There are large warehouses erecting on the other side of the river; I surveyed them a few days since; I have long been of opinion that we have a superabundance of warehouse room. The warehouses at Birkenhead are capable of holding about 70,000 or 80,000 bales of cotton, and there were not 500 tons of goods in them. The whole of the warehouses at Birkenhead were comparatively empty, and I am not surprised at it, because none of the works are yet completed. The warehouse owners were driven to comply with the requisition of the local authorities to prevent the spread of fire. There was a private understanding that that Bill would render the building of warehouses by the Dock Trustees less necessary. The present mayor strongly recommended that the warehouse owners should not throw any impediment in the way of the Dock Committee completing the Albert Dock warehouses; and we were advised to go to the expense of making our warehouses fire-proof in order to prevent the present calamity coming upon us, and the increase of the number of warehouses when they were not wanted. The completion of the warehouses at the Wapping Dock would be convenient for the trade in that particular locality, though exceedingly detrimental to the existing interests. The warehouse owners are prepared to concede such portions of the present Bill as are necessary to complete the objects of the Trustees as to the Wapping Dock. We have all along been willing to yield as much as we could, but not to give up our existence. Merchandise is removed daily from the Albert Dock to the private warehouses. I have myself received many cargoes from the Albert Docks. I recollect a cargo of Porto Rico sugar, belonging to a Mr. Wood, who was desirous that it should be placed in my stores at the King's Docks, where I could have given the precise accommodation that the Dock Trustees could, but the Albert Dock being empty and the King's Dock full, the cargo was sent into the Albert Dock, and in consequence of the contract I had entered into I was obliged to be at the extra expense of removing the whole of that cargo from the Albert Dock to the King's Dock warehouse. The removal of stores from one warehouse to another arises from a variety of circumstances. Some parties have removed from my warehouses into the Albert Dock warehouses for this reason, that if they have had what is called a specific policy for 100,000*l.* upon the warehouses in the docks, and that specific policy has not expired, they would naturally remove to those particular warehouses where that specific policy was. I do not apply that to the case of the Porto Rico sugar. The statement made by the owner of the sugar was, that he had no predilection for the Albert Docks, and he would rather that the sugar went into my premises. We have to compete unequally with the Dock Trustees. There are private warehouses at or near the principal docks. The private warehouse owners issue transfer orders, which are tantamount to dock

Warehouses at Birkenhead.

Dock Warehouses.

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warrants. They enable the owner of the order to obtain advances precisely in the same manner as upon a warrant. There is full liberty as to sorting in our warehouses; there is nothing to prevent it. The insurance in the fire-proof warehouses is the same as in the Albert Docks: four shillings per cent. *R. Harbord,* 7 April, 1848.

Cross-examined by Mr. Austin.

I was examined upon the Bill in 1841. I am aware that the general question between the Dock Trustees and their system of warehouses and private warehouses was decided on that occasion. I cannot say how many warehouses have been built since the Albert Dock Act; I should have said more than 159 buildings had been erected; not warehouses, but sheds for cotton. The owners of warehouses and sheds that have been erected within that period were under the impression already referred to, that the Dock Committee, when once they obtained full power to complete the Albert Dock, would never again attempt to interfere with the interests at Liverpool as to the South Dock warehouses. I was under that impression myself; and as I heard it from the lips of the present mayor and other gentlemen, I did believe that the Dock Committee would never attempt it again. The first Act (1841) prohibited the erection of warehouses; by the second Act power was obtained to complete that which the first Act prevented, and we were asked not to offer any opposition, that we might not be troubled again. (*h*) The mayor (Mr. Horsfall) has lately been an active advocate of the dock warehouse system; he is one of the Dock Trustees. The goods I alluded to were taken from the ship's side in the Albert Docks. I believe other goods, Indian corn and cotton, to have been removed from the warehouses. Dock warehouses. Removal of goods.

The coffee buyers have advertised that they will not buy coffee anywhere but in the Albert Dock warehouses, owing to the losses in the private warehouses, and that there was no redress for the losers. I know whence it originates, and I am not surprised at it. A challenge was given, but the statement was never proved. Those who had warehouses like myself requested parties to bring special cases for the decision of the Warehouse-keepers' Association, but no specific charge was brought. Though the unjustifiable public charge was made, there was never a single case brought before the Warehouse-keepers' Association that could be laid to any particular individual's charge. I am not surprised at those who deal in coffee imported in bags professing to give the preference to the Albert Dock warehouses, as the rate upon coffee imported in bags is from 30 to 40 per cent. less than upon West India coffee; and those are the gentlemen who made the complaint and trumpeted up the perfection of the Albert Dock warehouses, because the coffee imported in bags is charged less rent in proportion than other Charges against private warehouses.

(*h*) The restriction in the Albert Dock Act as to the erection of warehouses was repealed by the 9th and 10th Vict., c. 109, s. 33. See Introduction to "The Port and Docks of Birkenhead."

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R. Harbord, 7 April, 1848.

goods, to serve a particular interest. There is already a greater amount of warehouse room in Liverpool than the anticipated want for the trade of the port. If there is a great amount of over-trading there may be more goods than the warehouses can hold, but I think that for mercantile men of all classes in all undertakings the accommodation for the trade of the port will be ample for many years to come. There is too much room at present; the warehouses are empty. This is owing to the short import of cotton, to the commercial distress, to the want of confidence, and to the Dock Committee having obtained powers which we are not permitted to have. In March, 1847, the quantity of cotton in stock at Liverpool was 500,000 bales; in March, 1848, it was only 287,000 bales. I do not know whether the Albert Dock warehouses are full. I have never been in them. I always looked upon the whole of that establishment as one which should never have been in existence in Liverpool, and, with these feelings, I have never set my foot into the premises. There are special security warehouses at the Albert Dock; that is not the case with the private warehouses; the one is special, the other is extra; the privileges are limited. There is very little difference between the two. There are public streets lying between the docks and some of the warehouses. All the docks have public thoroughfares leading to them; they are not called streets, as the Dock Committee have to cleanse and to light them.

Tuesday, 11th April, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

T. Dover, 11 April, 1848.

Thomas Dover, examined by Mr. Mereweather.

I am a warehouse owner to a considerable extent at Liverpool. I agree with Mr. Harbord as to the sufficiency of the present warehouse accommodation. Warehouses will be less wanted at Liverpool than at present when the railway communication is complete. Much that now stops will go away at once. I had a conversation with Mr. Nicol, the Vice-Chairman of the Dock Committee, about four years ago, and proposed that the private warehouse owners should build cotton sheds upon the quays of the docks; that offer was not accepted; the majority of the cotton sheds were built after that. Finding that we could not build them on the dock quays we built them elsewhere. There are a number of trades with which the Albert Dock warehouses are decidedly unpopular—as the cotton trade, the wine and spirit trade, the tide trade, and the corn trade. They are unpopular, because the merchants of Liverpool prefer doing their own business by their own men, and in their own way; they look upon the interference of the Dock Trustees as uncalled for. They are not allowed to bring their own men

Unpopularity of Albert warehouses.

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into the dock; the Dock Committee do the whole work; for instance, the Dock Committee will not allow merchants to mend their own cotton, or to sample and prepare it. It costs them as much as in the private warehouses, and they have to pay the Dock Committee something in addition for porterage. The delay to purchasers in getting the cotton out, from the forms they have to go through, is very great. Before the opening of the Albert Dock it was the practice among brokers to put the name of the warehouse on the samples; that has been discontinued in consequence of the prejudice against cotton lying in the Albert warehouses. The powers which the Dock Trustees have obtained enable them to get vessels and goods into their docks and warehouses, and we cannot compete with them; the Legislature has given them the power to hold goods in security for freight. Parliament has given us that privilege in our bonded warehouses, which, consequently, are less empty than our free warehouses. Also the flag, which is a signal of the docks being full, or a sign for pilots not to approach the dock, is constantly flying at the other docks, but I never saw it at the Albert Dock; and for this reason, that when a vessel is discharged in the Albert Dock, she is either ordered out, or put in such a position by the Dock Trustees that she cannot do otherwise than go out, not having the facilities for loading; consequently the dock is never full. I was there the other day, and I found that there were only twelve vessels in a dock capable of holding from fifty to eighty vessels; it is, in fact, made a warehouse-quay dock. It is not popular, first with the master tradespeople—with the warehouse keepers, for instance—since it is putting a corporate body in competition with a private body; with the master coopers or master porters, and some other trades, because the business is all taken out of their hands. Independently of private interests, there is a strong anxiety at Liverpool that these extended powers should not be given to the Dock Trustees. The present party in possession of the Town-hall owe it to the warehouse interests and the various persons whose trades have been interfered with, and whatever Parliament may do, we identify the Corporation with the Dock Committee. We believe that they are the owners of this property. The Committee are merely for the purpose of carrying out their views, and we think (I speak as a tradesman) it unfair that those representatives whom we select for the good government of the town should turn traitors and take the bread out of our mouths. The Dock Committee is unpopular among the working classes, because the porters are in some measure superseded by a class of men who were not before occupied as porters; persons from trades and gentlemen's servants. It is unpopular with the porters. The system of searching them as they go in and out of the dock is disagreeable. The Dock Committee pay them only 3*s.* a day, whereas we used to pay them 3*s.* 6*d.*, and they are apprehensive that the wages will come down to something less than that. The transfer orders have the same effect as the dock warrants.

T. Dover, 11 April, 1848.

The Albert a discharging dock only.

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T. Dover, 11 April, 1848.

Cross-examined by Mr. Austin.

I give 3*s*. 6*d*. myself for wages, and I do not think a man can live in Liverpool and keep his family respectably on less. I am told by a member of the Dock Committee that they only give 3*s*.; that has created a prejudice in the minds of the common people. The Albert warehouses are now full; they are used partly against the consent of the proprietors of the goods. It is notorious that the Albert warehouses are the pet of the ship-owners because of the present distrust; the ship-owners were forced, in spite of the merchants, into that dock before the distrust took place; it is only since the distrust that the warehouses have been so full. I was there in October, and I do not think they were half full; they have been open now some eighteen months. The ship-owners prefer the Albert Dock warehouses. They think there is greater facility for securing their freight. The importer can, if he likes, take the goods out of the ship over the quay to his warehouses, but the ship-owner must first of all have his freight. We are asking for those privileges for our warehouses, and then we shall be somewhat on an equality with the dock warehouses. The ship-owner can have the same security in my bonded warehouses. I hold a number of cargoes now for freight under the Act of 1841. Give us those privileges for our private warehouses, and we do not fear.

Privileges of Albert warehouses.

Re-examined by Mr. Mereweather.

If we had the same privileges we should be content, but we are not content with greater privileges being put in competition with us. In the present distrust, the ship-owner feels it due to himself to take his cargo to some place where he can secure the property till he is paid the freight; the property is as well secured in my bonded warehouse. I find no difficulty in filling my bonded warehouses, but I have in filling the other warehouses. We should wish to have the real honest use of the quays, which we have not at the Albert Dock. The present chairman of the Dock Committee found that an evasion had been made in the Act; that it had not, in fact, been carried out; there was an evasion of the Act, and it does not operate as was intended; the Act was altered to make it legal, which upon us was a fraud. I acquit the present Dock Committee of being parties to it; the quay was to have been a quay with warehouses only of four floors, but there are six floors, and we can only use a part of the quays. We ought to have the power of holding goods in security of freight in the free warehouses.

Transit sheds sufficient for the trade.

The facility which the Albert warehouses afford to the ship-owner would be equally afforded by the transit sheds. Part of the compromise, as to the Act of 1841, was that, in addition to certain warehouses, we should have transit sheds, beginning at the Prince's Dock; there they have stopped. If we had those transit sheds the ship-owner would have facilities. The quays at Liverpool are only fit for transit sheds; you cannot find a foundation for warehouses except on piles, most of the

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quays being made land. The Albert Dock warehouses are built on piles. No private person could afford to build a warehouse on piles; and now they want to build other warehouses. We cannot afford to bring evidence here as our opponents do. I am here for widows and orphans. There are only a few of us who can afford to put their hands in their pockets. Some of these persons have been without income for months; owners of four millions of property, persons in the highest position in the town, are in a state of beggary. If we could bring all the evidence that might be brought, I am sure we should make a strong impression on the Committee. If we had the privileges of the Albert, for free warehouses, transit sheds would be all that would be required. About half my warehouses are bonded. I have not applied to have any of the others made bonded. It is a great expense to alter a warehouse and to remove the goods, and as I am only a tenant, the landlord would scarcely be disposed to do so in the present position of warehouse property. Latterly we have had no difficulty with the authorities in getting a warehouse made bonded. Some people prefer the system of the Albert warehouses, but the bulk of the people would rather do their business in their own way, employing their own warehouse-keepers and their own coopers. The numerous fires which occurred a few years ago, and which ran up the premiums to 35 per cent., have been accounted for in various ways. Some persons attributed them to incendiaries; I did not. I think it arose from the state in which the cotton had been packed. The fire broke out in places to which no access had been had for days; it was impossible it could have been the work of incendiaries. But in consequence of those fires we went to an expense of 200,000*l.* in making our warehouses what is called externally fire-proof, so that a fire now would be confined to the warehouse in which it originated. Mr. Nicol was a very influential and active member of the Committee, and we were indebted to him for the Bill. We suffered from the spread of the fires; now the fire is confined to the warehouse in which it originates. I am of opinion that time will prove we shall have fires in the Albert warehouses. I believe that wherever there is cotton there will be fires. I am aware that cotton is stowed among other articles in the docks in London, but fires are so rare, that the insurance is only 2*s.* per cent.; but the stock of cotton in London is very small as compared with Liverpool. The first portion of the Albert warehouses has been open about eighteen months, the second portion a year, and the third about six months. The Dock Trustees are the Corporation of Liverpool; the Corporation has sold me land, and tied me down by covenant to build warehouses, and they made me pay a very high price for the land; they are now giving the Dock Committee the land for nothing, and of course I cannot fairly compete with them. It was suggested by Lord Stanley, in 1840, that they should build the warehouses and have them valued, and that money should be borrowed upon them; that would be a kind of security. If they built the dock warehouses as they had done in London, by joint-stock companies, or

T. Dover, 11 April, 1848.

Fires in Liverpool.

Unfair competition of Dock Trustees with private owners.

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T. Dover, 11 April, 1848.

with their own money, we should have no objection, but we object to the Dock Committee making them, and if they do not pay they have the dock rates to fall back upon.

Wednesday, 12th April, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

R. Harbord, 12 April, 1848.

Richard Harbord recalled.

I wish to mention to the Committee some instances which I did not remember yesterday, of the removal of goods from the Albert Dock to private warehouses. There was a cargo of Indian corn removed to save expenses; also a cargo of hides and a cargo of cotton. I do not know the motive for their removal.

The Right Hon. the Earl of Harrowby, examined by Mr. Mereweather.

Warehouse opposition in 1840 and 1841.

As one of the representatives of Liverpool in 1841, my attention was directed to the Bill then before Parliament. Certain clauses were to be introduced, upon which the opposition of the warehouse owners was to be withdrawn. There had been a great contest in the previous year, and no Bill passed in 1840; but in the interval, having had my attention called a good deal to the question of warehouses round the docks, it occurred to me to be a pity that the trade of Liverpool should be deprived altogether of the advantages of warehouses round the docks; but at that time it was partly experimental; and also it was felt that it would be hard upon the warehouse owners, who had incurred great expense, and had a large extent of property built upon a certain system, which property would inevitably be put out of the market; so upon that ground I communicated with a friend, who was a warehouse owner, and in concurrence with him I mediated an arrangement, by which a compromise was entered into, that there should be permission to build warehouses round the Albert Docks in two successive intervals. (*i*) Various objections were stated to the proposed system of warehouses, the force of which some persons admitted and others did not. I could not shut my eyes to the fact that there were very essential advantages belonging to warehouses round the docks, particularly for certain purposes; those advantages were more or less important in regard to different docks.

(*i*) See p. xxvi. of Introduction to "The Port and Docks of Birkenhead."

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Mr. Serjeant Wrangham opened the case of the Commissioners of the Birkenhead Docks against the Bill.

James Meadows Rendel, examined by Mr. Hope. *J. M. Rendel, 12 April, 1848.*

I am engineer of the Birkenhead Docks, and have been intimately acquainted with the Mersey for the last four years, and generally for a much longer time. I made a survey in 1843 and 1844. I felt it necessary, before designing the Birkenhead works, to make myself generally acquainted with the nature of the entrance to the Mersey and the sea channels. The entrance is much encumbered with sand, and that gave rise to considerable apprehension on the part of the Dock Trustees of Liverpool lest any loss of water consequent upon our works should be a serious injury to the sea channels. The sandbanks extend over an area of from forty to fifty square miles. The flood tide comes from the north-west, and passing over the sandbanks with strong current, particularly in certain winds, brings a large quantity of sand into the Mersey. The prevailing winds are from south-west to north-west, but particularly from west to north-west; that is, in about the same direction as the flood tide; so that, practically, Liverpool is on a lee shore both as regards tide and wind. The part of the shore upon which the docks are proposed to be constructed is immediately exposed to the wind and tide; the shore is very flat, and a considerable quantity of sand is brought upon it and rests there; a portion of the sand is, by the breaking of the waves, brought back again into the strong tide of the Mersey, and carried up the river along the front of the Liverpool Docks, and deposited in the basins. Every opening on a lee shore of that kind admits a wave to enter, carrying the sand with it; and if the opening is large in proportion to the basin, so much the worse, as the deposit will be in like proportion. The basins of the Liverpool Docks are encumbered with sand. The lowest point, practically, at which they can be maintained, seems to be about low water of spring tides; if not lower than that, they can be cleared by hand; that is, at the low water of ordinary spring tides. The local difficulties I have described are such, that it would greatly embarrass the Liverpool Dock Trustees to keep them lower than they are. It is a fact, that one sill laid lower has been raised again, and it is given in evidence by Mr. Hartley, that they cannot keep the sills lower because of Pluckington Bank. The building a sea wall, as proposed, will undoubtedly have the effect of strengthening the tidal current, and, as a consequence, of filling the estuary above Liverpool at an earlier time of the tide than it is now filled. I agree with Mr. Cubitt as to the effect of the wall in filling the estuary somewhat earlier, and in sending the water up to a higher part of the estuary, which will consequently have a greater distance to scour on the ebb from the higher parts; but I cannot agree that it will be an improvement to the present docks. I

Sands and currents at entrance of the Mersey.

Deposit according to width of opening.

Effect of sea-wall on the estuary.

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J. M. Rendel, 12 April, 1848.

am certain that it will strengthen the current, and that cannot be an improvement. The sea will travel and accumulate upon itself along that wall, built in an inclined direction to the line of exposure. The effect will be to produce more disturbance at the mouth of the basins; the sea, rolling in on this line of exposure, strikes at present with force on the beach, and is expended; but when the wall is built, the force with which the sea strikes obliquely on the face of it will not be expended; but all the sea, which was before broken on the beach, will run along the wall along the face of the docks, and ascend into the higher parts of the estuary, so that in northerly and north-westerly winds it will be difficult to get a vessel into dock. This will also have a tendency to increase the deposit at the entrances to the docks, and I doubt very much whether it may not have the effect of forming a sandbank like Pluckington Bank, because, generally, I have observed in situations of this sort that a low bank accumulates in front of a wall. I think the one-fathom line would be further off, and that there would be a deposit of sand along the wall consequent upon the sand not lodging on the beach as it now does. In bad weather there will be a deposit in the basins. Mr. Hartley very properly described Pluckington Bank as overtopping the entrances, because its surface is higher than the sills. This will not only be an inconvenience to the new docks, but an injury to the existing ones; there can be no doubt as to the disadvantages which the docks labour under from the amount of sea and current at their entrances. According to the observations I made in 1844, the maximum current was about six miles and a half an hour; Lieut. Lord's chart gives five and a half as the average current; that is sufficient to be troublesome to the navigation. In all this evidence we must carefully separate the benefit to the estuary from the convenience of the navigation; for the scour a rapid current is required, but the convenience of the navigation requires a mild current. To the river craft, when loaded, a strong current is peculiarly objectionable; this would apply especially to the removal of timber; and I think it one of the principal objections to the north docks, that those vessels which carry on so large a proportion of the timber trade will have to navigate in front of the whole length of such a series of entrances. I do not know how many entrances there are, but a very great number. I doubt whether Mr. Hartley is serious in proposing to make a basin of six acres and a half with a 200 feet entrance, knowing, as he does, the exposure of the Liverpool side. There will be an unbroken wall of nearly a mile and a half in length, along which the wave will travel and accumulate, and enter the first opening. Such a basin will not be a very pleasant berth for shipping; a 200 feet opening in such an exposed situation to a basin of six acres and a half would be quite enough without any travel of the wave. In designing entrances to harbours, we endeavour to turn the entrances away from the run of the sea consequent upon the works.

Increased disturbance at mouth of basins.

Sandbank.

Benefits to estuary and navigation distinct.

Objections to basin.

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J. M. Rendel, 12 April, 1848. Plan of 1844.

In the plan of 1844, the entrance was not upon a straight line of wall s this is, but was, as they are generally on the Liverpool side, re- essed, and, in addition to that recess, Mr. Hartley proposed to place a ıole or breakwater directly across the entrance to fence the entrance rom the break of the sea. There has been no actual practical experi- nce of any entrance to the north since that time; the run of the sea long the mile and a half of wall will be an additional evil.

Basins at Liverpool small.

All the basins on the Liverpool side are small, and consequently all he sills of the entrances to the docks are near Pluckington Bank.

Crowd of vessels and timber craft.

I have seen large fleets arriving in one tide—I should say more than 100 vessels. It is manifest that in any harbour of this sort, after the prevalence of easterly winds, which keep the vessels down channel, they will come up in great numbers on a change of wind, and they all get into harbour, or cross the bar, as soon as possible; the timber craft would have to go up the river at the same time as these vessels; but I much doubt whether the small craft would like to encounter the getting out into the river, supposing the wind to be blowing a moderate gale from the northward and westward, and the tide flowing. The timber craft would get out of Mr. Hartley's float as soon as they could; but it does not follow they would go out into the river if there was a crowd of vessels beating about and much sea; they would not like to go out at half tide; in moderate weather they might go out; but vessels arriving at flood tide would be up by half tide; they come in as soon as there is water enough on the bar. There would be confusion. I do not say it may not be met and overcome, but I think it would be a very unwise thing on the part of the Dock Trustees to increase the confusion already existing in the Mersey under the circumstances referred to. I understand that 75 per cent. of the timber goes up the river; so that the great bulk of the timber trade, if removed, would have to be carried on in front of the docks—a distance of four miles and a half—crossing the track of the ferry steamers which are constantly plying between Liverpool and the Cheshire shore.

Connexion with Leeds and Liverpool Canal.

There will be a single entrance to about ninety acres of dock and the half-tide basin. If the barges and river craft are to come out of the timber float into the river, and to pass along the river wall to the basin and docks which lead to the system of locks joining the Leeds and Liverpool Canal, as described by Mr. Hartley, they will be exposed to that portion of the river navigation, and have not only to get out of the basin from which the timber float is entered, but into the basin for the locks leading to the canal. If the timber is to go through all the docks instead of coming out into the river, it will have to wait in the half-tide basin until it can pass through the docks, which can only be at high water. I cannot consider either mode convenient. No plan is shown for joining the Bury or the North-Western Railways. I do not understand that any part of the land is set apart for ship-building yards. Mr. Hartley said that ship-building yards might be made along the line of

No space for ship-building yards.

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J. M. Rendel. 12 April, 1848.

the river wall; but the space, as marked, is only 100 feet wide; if openings for slips are to be made in the wall, they would let the sea into the ship-builders' yards in that exposed situation.

Proportion of docks to basins.

There are to be about ninety acres of dock worked through this one basin of six acres and a half; that is a very large proportion compared with any other basins, particularly as the trade is so various—large and small craft—and under the exposure of the site; a wave once propagated against a wall will continue to travel; the basin being walled, every wave will travel round wherever there is a wall for it to travel along.

Area at south end for timber.

The timber trade at the south end at present occupies ninety-seven acres. According to the coloured plan put in by the promoters, the portion at the north end of a similar kind is, I think, seventy-two acres; and if it is to be increased, some of the land already reclaimed, and which is on the east side of the half-tide basin, must be given up.

Land reclaimed for Lord Derby.

The proposed plan will reclaim land for Lord Derby to the extent of about seventy acres; his lordship would be the owner of the land immediately to the east adjoining the proposed timber-yards. The land to be obtained for the cost of the construction of the works I understand to be 165 acres; but there must be roadways to the works as well as to the houses, and no credit has been given for roads intersecting the land to get to the timber float or yards, and what proportion must be deducted for roadways I cannot say; but it is manifest they must be very numerous. The plan shows that other land beside that reclaimed is to be used; that already belongs to the Dock Trustees; part of the timber dock, the half-tide basin, and land for deal yards, are on that land; about sixty-seven acres are to be taken from the Dock Trustees, which, added to the 165 taken from Lord Derby, makes 232 acres to be appropriated to the proposed works; the sixty-seven acres must be provided at some other rate of cost, but I do not know at what rate; it is part of the larger quantity spoken to by Mr. Bramley Moore, and acquired by the Trustees under former powers.

Birkenhead works.

The Birkenhead works are on the opposite side of the Mersey, and nearer the centre of Liverpool than the proposed works. They are free from the disadvantages referred to; they are on the weather shore, and on the margin of deep water; not as liable to deposits, not as exposed to sea or run of tide, and considerably more sheltered. I do not stand alone in those opinions; in 1844 they were concurred in by a great number of engineers, some of whom I now see on the opposite side. Mr. Cubitt then concurred with me in the superior advantages of the Birkenhead side; his evidence from the beginning to the end was a panegyric on the plan and on the site.

Greatest current.

The greatest strength of tide and difficulty in the navigation is below our works, and, as was shown in 1844, in the way of the new works at Liverpool. The Birkenhead Docks are, therefore, free from the strongest tide, which is a great advantage for the river craft; but besides that, they are free from exposure to the winds and sea which have been de-

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scribed. Being on the weather side, they are, from that circumstance, less liable to the sandy deposits which take place on the Liverpool side; and this enables us to have a deep low-water basin as the entrance to the Birkenhead Docks; and such a basin will enable us to have the sills of the entrances to the docks at such a distance from the river that there will be no danger of the sills being overtopped by a Pluckington Bank. In truth, we are free from all the prevailing difficulties of the Liverpool side, and if we had their funds, we should be free from difficulties of another kind. There would be a large creek, covered to the extent of about 170 acres at a medium tide, and to a much larger extent at a higher tide, with water, available for maintaining the depth of the low water basin when made, to be run off at the most convenient time for scouring the basin. The whole of the entrances are placed upon sluices so formed that the water can be discharged at the level of the bottom of the basin, which is proposed to be kept at the depth of twelve feet below the low water of spring tides, or 20 feet 9 inches below the old dock sill at Liverpool. The Crown gave 150 acres, upon which the water would be impounded and run off at a convenient time—say low water—in one great sheet at the bottom. I have no doubt as to the efficiency of the scouring. The great tide-gates into the float would not be open until a certain time of tide, when the water from the river would be least charged with sand; the greatest velocity of the water entering the low-water basin to fill the float, would not exceed half a mile an hour; the velocity of the stream through the basin, the sluices running, would be two miles and a half an hour; it is clear that an outward velocity of two miles and a half an hour would be sufficient to carry out whatever an inward velocity of half a mile an hour had brought in. If tidal deposits are allowed to accumulate and consolidate, there is difficulty in removing them; but if, before they attain solidity, and whilst they are in a semi-fluid state, a stronger current than that by which they were formed is brought over them, the effect will be to carry away on the ebb tide that which came in with the flood. The sills of the great tidal gates are not placed lower than the sills of the docks at Liverpool, because we want the sluices under them, so as to produce a sheet of water the whole width of the basin; but the sill of the great lock is to be laid at the depth of 18 feet 9 inches below the old dock sill at Liverpool. The sill of the lock into the Egerton Dock is laid at the depth of 16 feet 10 inches below the old dock sill, or 10 feet lower than any of the dock sills in Liverpool. By means of these locks the low-water basin can be kept clear of river craft, and sea-going vessels can be locked into, or out of, the great float at low water.

J. M. Rendel, 12 April, 1848.

Low water basin and depth of sills.

Maintenance of basin.

The works authorised by the Act of 1844 were the great low-water basin, locks, and river walls; the Woodside Basin to be appropriated exclusively to river craft; and the dock now called the Egerton Dock for small craft and coasters; the intention of the Commissioners being to leave to private speculation the appropriation of the land on the margin

Works of 1844.

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J. M. Rendel, 12 April, 1848. of Wallasey Pool, as the various owners might consider right, and for their own advantage.

Thursday, 13*th April*, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

James Meadows Rendel further examined.

J M. Rendel, 13 April, 1848.

Low water basin.

That great low-water basin would be of peculiar advantage for the steam trade of the Mersey; it is greatly in want of such accommodation.

Steam trade.

Any of the coasting steamers, such as the Irish and Scotch boats, could run in at any time of tide; the estimates provide for slips at the sides, and the railroad is to be carried to the landing slip, so that passengers and cattle can get at once from the vessel to the railway at all states of the tide; this was considered of the greatest importance when the measure was before Parliament in 1844. The Scotch and Irish boats and steamers employed in the coasting trade draw from eight to eleven feet of water; the largest class of steamers, drawing eighteen feet of water, could enter the basin from about a quarter flood to three-quarters ebb, or from eight to nine hours out of the twelve during spring tides; for all other tides than spring tides the period would be longer. The object of making the basin of that depth is, that a vessel having come up the river after passing over the bar in the Victoria Channel, should be able to dock through that basin. The advantages of such a basin can hardly be overrated; they must be obvious to all who have embarked in, or disembarked from, the Irish boats in the port of Liverpool. Such a basin and landing-place would be of immense importance to the traffic of the Mersey. The larger class of steamers, the Isle of Man and Welsh boats, have frequently to land their passengers in small boats. This basin would prevent that inconvenience and risk; and the railway being alongside of the basin, the arrangements would be complete; there would be a complete connexion between the steam-packet and railway traffic. We ought now to look at the importance of facilitating ferries. The coasting steamers may be considered as ferry-boats; from Liverpool to Dublin, the Isle of Man and Glasgow, is but a long ferry; if the railroad communication is to be completed, the water passage ought to be completed also. When the basin is made, the land within the walls will be reclaimed, and is to belong to the Crown, in return for the grant which the Crown has made to the Commissioners.

Crown reserves.

Crown grant.

The Crown, in 1844, gave to the Dock Commissioners the site of their works, and vested in them for the use of the public the portions of Wallasey Pool and of the foreshore of the Mersey necessary for carrying out the works then proposed. These works were the Woodside Basin, set apart for the coasting vessels; the great low-water basin, with wharves 300 feet in width; the great dam, the locks, gates, sluices, and walls;

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the river wall, with wharves 200 feet in width,—about 250 acres altogether, including the 150 acres for the great float, out of about 350 acres. *J. M. Rendel*, 13 April, 1848.

There was a long correspondence with the Commissioners of her Majesty's Woods when these plans were first laid before the public boards, as to what should be paid for the Crown rights. It was urged by the promoters of the Bill, that inasmuch as they were about to carry out those works as public trustees, the Crown should make liberal arrangements with the trust in order that the public might obtain the greatest amount of accommodation at the least cost. It was proposed by the promoters of the measure to pay a certain sum per annum, but the Commissioners of Woods decided that the Crown rights must be paid for according to their value if transferred, or that a certain portion must be reclaimed, the Crown being at liberty to dispose of those portions when reclaimed. Then there was a question as to what those rights were worth, and it was first of all referred to Mr. Hartley, who certainly had very large views as to the value of the Crown rights. The papers before the Committee will show (*k*) that Mr. Hartley's notion of the value of these lands was so great that the Dock Commissioners could never have undertaken the trust. The promoters remonstrated against it, and Mr. Cubitt was sent down. He took the view of it which I had done, namely, that the work was of great public importance, and that the Crown should make the most liberal arrangement with the promoters, and he estimated it at something like a hundredth part of what Mr. Hartley had done. The discrepancy being so great, the Commissioners of Woods were naturally puzzled more than they were at the commencement. Those two gentlemen were requested to meet and try to reconcile their differences; they met, and the report of Mr. Cubitt, which is before the Committee, was the result. Value of Crown rights.

The acreage reserved to the Crown by the first Act was about sixty acres out of the very large grant then made; and, under the second Act, about twenty-three acres, consisting of small pieces between the line of the walls in the float and the high water of a 15 feet 6 inches tide, upon the old dock-sill datum. These last-mentioned portions on the south side have since become the property of the Birkenhead Dock Company. The value of the Crown rights between the parliamentary line of wall and the land belonging to the Dock Company, about eighteen acres, was referred to Mr. Stewart, an eminent valuer at Liverpool, who valued the eighteen acres at 57,000*l.*; and the Dock Company agreed to buy them at that sum. The Act of 1844 did not give the power of walling the great float, but only of penning up the water. In the year 1845, the Dock Commissioners came to Parliament and obtained power to wall the whole of the pool, according to certain lines laid down on the plan, the Crown giving to the Dock Commissioners under that Act 150 acres

(*k*) See "River Mersey, &c., Papers," [252], printed by order of the House of Commons, 7th April, 1848.

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J. M. Rendel, 13 April, 1848.

out of about 173. In the first arrangement with the Crown, it was understood that every frontager in the pool was to have the right of purchasing, at a valuation, so much of the mud land belonging to the Crown as fronted his property up to the line of wall. The Dock Commissioners, having made an arrangement with the Crown which was considered advantageous to the landowners, came to Parliament with the sanction of the landowners, and passed an Act, authorising them to deepen the pool, so as to have a depth of eight feet below the old dock sill up to a certain point, diminishing to six feet at Wallasey Bridge, with the understanding that the landowners should repay the cost of the wall. The estimate for the deepening was 200,000*l.*, and the walling 260,000*l.* The Commissioners had power to raise 400,000*l.* under the first Act, and 600,000*l.* under the second. The difference between the cost of the deepening and the walling, and the total amount authorised to be raised by the second Act being intended to make up the deficiency in the original estimate of 400,000*l.* for the completion of the works imposed upon the Dock Commissioners at the instance of the opposition to the first Act, in addition to the works originally contemplated.

Arrangements with frontages.

Origin of Morpeth Dock.

The Morpeth Dock was not contemplated in either of the Acts. It came into existence in this way. We were required by the Act of 1844, at the instance of the opposition, to complete the basin of sixteen acres—the Woodside Basin, for the coasting trade—before we were permitted to carry on the sea wall and inclose this land. That imposed upon us the necessity of excavating a channel in the line of the present Morpeth Dock, preparatory to our making the dam across the pool, for the purpose of laying dry the part of the pool where our large works were to be constructed. That temporary cut had been originally intended simply as a passage to the upper part of Wallasey Pool, through which the tide should ebb and flow, whilst we were carrying on the great works at the entrance of the pool; it was intended as a temporary entrance from the river into the pool, till the low-water basin should be completed. The conversion of this temporary cut into a dock was made without authority, but, last year, it was sanctioned by Parliament. The entrance will now be through the Morpeth and Egerton Docks into the float. We cannot fill and empty every tide so large an area as the great float through so small a passage as the gates of the Morpeth Dock afford. We shall therefore have to adopt the plan which we were carrying out when the works were stopped. We were then constructing a temporary dam from the seventy-foot passage of the Egerton Dock to the Neff Point. That dam will serve as a temporary dam for the works of the great basin, and, at the same time, impound the water in the great float. In the Act of last year, powers were given, pending the construction of the outer works, to impound the water in the float to a height not exceeding nineteen feet upon the old dock sill. Now, that power will enable us to make the upper part of Wallasey Pool into a dock. The dam being

Morpeth Dock to be worked as a half-tide basin.

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constructed, and this passage, which is in course of construction, being completed, the water would be impounded by a caisson across the passage between the Morpeth and Egerton Docks. The Morpeth Dock would then be to this float precisely what Mr. Hartley's half-tide basin is to his float. In truth, we should make the Morpeth Dock a half-tide basin or lock. The water being retained in the float at the highest that we could keep it under the Act of Parliament, would be impounded by the caisson whenever the tide of the day was lower than the water in the great float. Vessels would come in to the Morpeth Dock from the river a little before high water, or as soon as they could, and would congregate in the Morpeth Dock till high water. The gates next the river would be closed; the water would be run through the caisson, and brought to the level of the water in the float; the caisson would then be removed, and the vessels would pass from the Morpeth Dock into the great float—that is the arrangement for the in-coming vessels. The out-going vessels would, of course, have been brought from the float into the Egerton Dock; and, as soon as the caisson is removed, the vessels going out would pass into the Morpeth Dock, and thence into the river. The in-coming vessels would pass in, and the out-going vessels pass out, the Morpeth Dock being used to all intents and purposes as a half-tide basin and lock. *J. M. Rendel;* 13 April, 1848

The description which I have given applies only to the working of the trade into, or out of, the float pending the construction of the outer works. Those being completed, the traffic will all go through either the gates in the great dam or the locks. One lock is already done in the great dam; the sills of those locks will be at a depth of ten or eleven feet under any of the sills of the Liverpool Docks. The sills of the tide-gates were to have been laid at the same level as the lowest sills of the Liverpool Docks, namely, six feet below the old dock sill, because it was considered that the vessels at other times of the tide, when they could not pass over the sills of those tide-gates, might be locked in through one of the locks. The sills of the great tide-gates are to be laid high enough to admit of sluices under them, for the purpose of maintaining the low-water basin, by the same plan of sluicing as was mentioned yesterday. Tide gate in great dam, and locks.

Birkenhead is on the weather side. In bad weather the sea fills the basins at Liverpool; the sand is literally driven from this side by the wind and the waves, which carry it into the Liverpool basins, and tend to drive it away from the Birkenhead side. Another, and a very great, advantage over Liverpool is, that the nearest sill is 2500 feet from the river. A large quantity, therefore, of the silt will deposit long before it comes up to our sills; so that the deposit at these sills will be of a trifling character comparatively speaking, and there will be a method of sluicing for the purpose of effectually cleansing them, and a very large quantity of water available for the purpose. There will be in the float as many acres of water as in all the Liverpool Docks together; they cannot afford to run Deposit on opposite sides the Mersey.

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J. M. Rendel, 13 April, 1848.

off the water; whilst their difficulties from Pluckington Bank are so much greater, their means of removing those difficulties are infinitely less. The body of water available for the operations of sluicing is the area of the float into the difference between high water of spring and neap tides; that is, a mean of about seven feet. The greatest amount of deposit will be at spring tide; but then there is the greatest quantity of water for removing it; the power of removal varies in the same ratio. The wall next the river has improved the current; the benefit has been felt on the other side. A vessel drawing eleven feet will be able to enter the low-water basin at low water of spring tides; at low water neap tides there would be twenty feet water in the basin. A vessel drawing eighteen feet and upwards cannot enter the Liverpool Docks at high water of neap tides; it is notorious that heavy vessels are constantly detained in the river during neap tides because they are not able to get into the docks. The following table shows for seven years the number of tides in which the tide is below the level of 13 feet on the old dock sill:—

Detention of large vessels.

TABLE OF TIDES *not rising* 13 *feet on Old Dock Sill at Liverpool.*

		1837.	1838.	1839.	1840.	1841.	1842.	1843.
Average 9½	January	10	10	11	6	11	13	6
Ditto 12½	February.....	8	14	14	13	12	15	12
Ditto 14½	March	20	10	13	17	16	13	12
Ditto 12	April	11	14	17	15	13	13	8
Ditto 9	May.....	9	13	13	6	8	8	7
Ditto 6½	June	5	8	6	8	6	8	8
Ditto 8	July.....	7	9	9	6	9	7	9
Ditto 12½	August	13	14	10	12	12	16	9
Ditto 11½	September	12	12	9	11	13	13	11
Ditto 11½	October	15	10	16	9	9	9	11
Ditto 7½	November	7	9	10	8	5	5	9
Ditto 7½	December	7	10	6	12	5	6	7
Average 123	Totals	124	133	134	118	119	126	109

The total number is 863; so that there are 123 tides a year, on the average of seven years, in which a vessel drawing eighteen feet water cannot enter the docks at Liverpool.

Frontage of Crown property.

The Crown will have a frontage to the basin of 4500 feet, and to the river of 3800 feet; the advantage of this for ship-building purposes is very great, because it is on the weather side of the river; vessels may be launched into the basin or into the river. I agree with Mr. Hartley that the land is extremely valuable; there will be about 77 acres altogether. The Birkenhead Dook Company purchased from parties who had purchased from the Corporation of Liverpool. The Corporation had purchased the land after a project by Mr. Telford, for a work very similar to that now in progress. The acreage on the margin of Wallasey Pool, available for commercial purposes, is very great; the Dock Company has acquired about 110 acres on the south side; there is a like quantity on the opposite side; at the top there is a piece of marsh land of 1500 acres, about

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six feet under the level of high water of spring tides, which, by making apertures through the wall, might be converted into timber floats; the railroad might be made to communicate with each timber yard. [Mr. *Austin* admitted that timber yards to almost any extent might be made.] The linear extent of the shore of the pool is upwards of four miles, and all that is necessary to make it available for timber is a temporary dam, answering the double purpose of impounding the water in the float and excluding it from the outer works until the permanent dam is finished; the land water which now goes into the pool will be conveyed by a great culvert which has cost 38,000*l.* We shall have to expend 45,598*l.* upon the works of this temporary dam and the completion of this work to make it a passage to the float. The dam is rather more expensive than would be necessary for the carrying out the permanent work, on account of its being made sufficiently strong to impound the water at the height proposed. The excavating the pool to the level of one foot under the old dock sill would give a minimum depth of from eighteen to nineteen feet of water permanently. We should have to expend 15,188*l.* to excavate the pool to the extent of twenty acres, and 49,974*l.* to excavate it to the extent of fifty-three acres, which is the size of the float proposed at Liverpool. This would give the timber trade a dock of the same size as proposed on the Liverpool side, at a total cost of 95,373*l.*, and 123 acres of floatage ground in addition. There has been actually disbursed on works 225,588*l.*, and upon stock and plant now upon the ground 60,797*l.*, making a total of 286,385*l.*

J. M. Rendel, 13 April, 1848. Accommodation for timber. Cost of works.

We applied to Mr. Brassey to give a tender for taking upon himself the entire responsibility of excavating and walling that float according to the requirements of the Act of 1845; and the tender for the whole, made on the 17th October, 1846, when the expense was fully 10 per cent. higher than it is now, was 463,900*l.* My estimate for it was 460,000*l.* We have power to raise 600,000*l.*; more than 250,000*l.* of the 463,900*l.*, was for walls, which the proprietors would have to repay to the Commissioners. The cost of the float, therefore, to the public, would not have been more than about 200,000*l.* This was a guaranteed tender that the work should be done for the money. The marshes extend the whole way to the Leasowe embankment; the land is generally below high water.

The passage would be made at a moderate rate; the cost of an entrance to that passage at the most convenient point I have not gone into, but I am quite sure that the object to be obtained, if the entrance to the Mersey should be obstructed, would pay handsomely. That was part of the project contemplated by Mr. Telford; it may be smiled at now, but it would not be smiled at if the necessity arose. In 1844, when we came to Parliament for the Birkenhead measure, so apprehensive were the Liverpool Dock Trustees and Corporation of injury to the sea channels, that the great opposition then offered was founded on their alarm lest the quantity of water which we were going to exclude from the Mersey

Passage to sea through the marshes.

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J. M. Rendel, 13 April, 1848.

Abstraction of water from Mersey.

by the construction of the works should damage these very channels. I beg to call the attention of the Committee to this fact, that the Dock Trustees are now about, if that argument is worth anything, to exclude quite as much water from the sea channels of the Mersey by their new works, as we were going to exclude by our works. If there was any virtue, therefore, in the opposition of the Dock Trustees in 1844, upon the question of abstracting water, they are converts now to the position which we took in 1844.

Cross-examined by Mr. Austin.

Some stress was laid in that contest on the water in Wallasey Pool running into the neck of the bottle. The new North Works will make a longer neck to the bottle: I do not apprehend that the running the wall to the northward will injure the mouth of the channel of the Mersey. I am of opinion that there will be a sandbank along the wall; not silt, but sand; the Liverpool charts show an accumulation there. The construction of the north wall will render the water opposite to the entrances of the Liverpool Docks less tranquil. Mr. Cubitt gave it as his opinion that the disturbance would not be increased, but that the current would. A wall is to be substituted for a beach, and will occasion more disturbance than the beach. The general effect of the north wall has been to straighten the current of the river, and to benefit the estuary; more water will pass up into the estuary, and that will give a better scour to the channels. The convenience of the navigation is distinct from the economy of the tidal estuary.

Effect of wall at Seacombe.

The effect of the building of the wall at Seacombe, has been that sand accumulates against the end of the wall; as a matter of necessity it will do so; the owners of that ferry and Mr. Hartley, who acted for them in the year 1844, were cautioned by me, and told that would be the effect. The plan as originally laid before Parliament was entirely different, and would not have led to the objection now alluded to.

The sill of the Morpeth Dock is laid five feet under the old dock sill.

The timber ships will enter, at present, through the Woodside Basin and the Morpeth Dock, and discharge their timber either upon land, or float it, as required.

The whole of the works authorised by the first Act may be completed for 342,800*l.* beyond what has been already expended.

I have heard that there has been a claim by the Corporation of Liverpool to the Crown reserves; but this is quite a new light. When the Bills were before Parliament in 1847, a question was raised as to the liability of the Dock Company to pay the 57,000*l.* to the Crown. Some of the Commissioners of the Birkenhead Docks were Directors of the Dock Company; there was a great confusion of interests

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J. M. Rendel, 13 April, 1848.

Re-examined by Mr. Serjeant Wrangham.

There is a Bill before this Committee for altering the constitution of the Commission; I believe the Commissioners themselves felt that the great measures for which they were originally incorporated had been damaged by the amalgamation of interests which the proposed bill is to obviate. The whole 400,000*l.* which we had powers to raise under the first act was raised within three or four months, and was drawn upon largely for other purposes. There are to be a certain number of bondholders, and of persons selected by the ratepayers of Seacombe, in the new trust, and a chairman appointed by the Crown. There is also a bill to enable the Crown to make advances of money towards the completion of the works. The works to be completed are the river wall, the Woodside Basin, the Morpeth and Egerton Docks, the great dam, and the great low-water basin. Alteration in trust.

The Corporation of Liverpool agreed to purchase of the Crown some of the strand near their ferry at Birkenhead, as I learn from the papers printed by order of the House of Commons. The act of 1847 empowered the Crown to borrow money on the Crown reserves, and apply it to assist the completion of the Birkenhead works; nothing had been heard of the claim of the Corporation until the Crown reserves were to be made available for the completion of the works; then it was discovered for the first time. The Corporation purchased the land on the south side of the pool about the year 1828, on the occasion of the late Mr. Laird and Sir John Tobin employing Mr. Telford to lay out large docks in Wallasey Pool (*l*). The railroad is brought down to the shore of the pool, and there can be no difficulty in communicating with any part; it is a dead level. Purchases of land by Corporation.

The proposed sea wall at the north shore in Liverpool will improve the economy of the estuary; it will send the water up to a higher point, and high water will take place somewhat earlier; the water will pass more easily along a smooth wall than a broken shore; the current across the entrances will be increased, but the greater evil will be an increase of sea. The tendency of that wall will be to form a bank, but to what height I cannot say; I find upon Captain Lord's chart a very singular confirmation of this opinion. This is the chart of 1840 by the Marine Surveyor of the port, made, consequently, before any of the North works were begun: there is a very singular change in the chart of 1847, showing the tendency of the works to cause an accumulation of sand. Effect of wall on estuary.

In the parliamentary plan of 1843, as originally deposited, it will be seen that it was proposed there should be nothing more than a slipway left at the Seacombe Ferry; but the owners of the ferry, under the advice of Mr. Hartley, requested an alteration; the Admiralty refused to sanc-

(*l*) The evidence upon this subject in 1844 was referred to. See "Port and Docks of Birkenhead," p. 51; also evidence of Mr. Duncan Gibb, *post* 81.

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J. M. Rendel, 13 April, 1848.

tion the alteration, but the owners of the ferry were extremely anxious for the alteration, and Mr. Hartley induced me to go to the Admiralty and get the Board's assent to the alteration. There is an accumulation of sand at Seacombe Ferry; if the original plan had been carried out, that accumulation would not have taken place. The alteration was made at instance of the owners of the ferry, advised by Mr. Hartley.

John Myers.

John Myers, examined by Mr. Goldsmid.

Timber trade at Birkenhead.

I am a partner in the firm of Dixon and Company, of Chester, and engaged in the timber trade, both Baltic and American. The foreign vessels, particularly the Russian, prefer going to the Mersey, because of the return freight. I go to Birkenhead to save the Liverpool cartage and fines, and other expenses. I have arranged with the dock authorities at Birkenhead at so much per load ,which is satisfactory to me. We occasionally buy at Liverpool. We have not imported a cargo into Liverpool for twenty years. We have imported two cargoes to Birkenhead, and have ordered others. One cargo was sent away by water, and the other by the railway to Chester. I was quite satisfied with the arrangements at Birkenhead. I have three strings to my bow there: I can send it by the river and canal, or coastwise, or by railway.

Capt. Hookey, R.N.

Captain Hookey, R.N., examined by Mr. Webster.

I am Harbour-Master at Birkenhead, and have been acquainted with the Mersey fifteen years. I commanded a vessel to the East Indies and China for eleven years. It drew from seventeen to nineteen feet water. Timber ships draw as much as twenty-one and twenty-two feet. I have frequently been detained in the Mersey by want of water from getting into the Liverpool Docks. The last voyage I was detained five days. There was not water to take the vessel into any of the Liverpool Docks. I arrived just at the commencement of the neap tides. This is of constant occurrence in the Mersey during every neap tide; many vessels are detained in the river. The proposed new docks will not give a greater depth of water than the present docks: they will not remove the disadvantage under which we labour. This detention is a special inconvenience to the timber ships. They generally make two voyages a-year: they leave on the spring voyage about the end of March or beginning of April, so as to enter the St. Lawrence as soon as it is open. Their object is to return as quickly as possible, and generally arrive in the month of July. Any detention in the river is a matter of great consequence, as throwing them later on the second voyage, which becomes more dangerous and expensive. Unless they leave the St. Lawrence by the beginning of November, the insurance is increased by one or two per cent. Any delay in discharging the cargo on the first voyage may endanger the second voyage, and add to the expense. A ship in the river is at very heavy expenses: the crew and pilot have to be paid; and the anchorage is so dangerous, that, unless there is a pilot

Short water, and detention of vessels in the Mersey.

Timber trade.

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on board constantly, the underwriters will not be responsible; and then there is the interest on the value of the ship and cargo. The expense of lying in the river is common to all vessels. The *Bridgetown* was detained last year in the river for want of room in the Liverpool Docks. The owners considered it cheaper to come into the Birkenhead Docks, paying the dock rates and the crew, than to remain in the river. There is great danger of collision in the river. The Mersey is crowded with steam-boats and other craft, and, in gales of wind, there is considerable risk of vessels driving foul of each other.

Capt. Hookey, R.N. 13 April, 1848.

The following table shows the number of days in the present year on which vessels of the specified draught of water would be excluded from the proposed or any dock at Liverpool:—

Detention in the Mersey.

TABLE OF DAYS *during which Vessels drawing* 18 *feet water and upwards are excluded from the Liverpool Docks.*

	Ships of 18 feet.	Of 19 feet.	Of 20 feet.	Of 21 feet.	Of 22 feet.	Remarks.
1848.						
January	4	6	8	14	17	There are many other days in the year that it would be imprudent to dock a ship, as there would only be just sufficient water to float her.
February	2	4	9	12	14	
March	4	6	12	13	16	
April	5	6	9	12	16	
May	4	7	11	14	18	
June	4	5	11	14	23	
July	4	8	13	17	23	
August	4	8	12	16	20	
September	4	9	12	14	17	
October	4	9	13	16	18	
November	3	7	8	13	15	
December	1	5	9	14	17	
Total	43	80	127	169	214	

There are many other days on which it would be imprudent to dock a ship, as there would only be water just sufficient to float her. The timber ships are of the largest class—from 1000 to 1300 tons—and draw from sixteen up to twenty-two feet of water. The inconvenience from want of water has been found so great at Liverpool, that they have adopted flat bottoms for some of the larger ships; that interferes with their sailing qualities.

The timber floats are fastened together and towed up the river, six or seven together, in a long string, one after another, by a steam-boat. A string of floats so fastened together and towed is very unmanageable, and, of necessity, greatly impedes the navigation.

Timber floats.

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Wednesday, 14th April, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Capt. Hookey, 14 April, 1848.

Captain Hookey, further examined

From the formation of the land at the north shore in Liverpool, there can be no dispute that the further you take the docks, they must be more exposed to the sea and the greater force of the wind, because you lose entirely the protection of the Cheshire shore: the hardest winds that blow are also the most prevalent; they are from west to north-west. The wind prevails more in that quarter than any other through the year—for nine out of twelve months. The map shows the exposed nature of the situation, and it is not at all an unfrequent occurrence for ships to be driven on that shore; there is the wreck of a ship now lying on that shore, and ships have frequently been driven on shore about the site of the proposed docks. I agree with Mr. Rendel as to the probability of an accumulation of sand near the front of that north wall.

Timber rafts in the Mersey.

The timber rafts are to be towed up the river by steamers; they lie low in the water, and in rough weather would be very unmanageable; in extremely rough weather at night, or in fogs, they would not attempt to move. There would at all times be greater danger on that than on the Cheshire side of the river: the whole traffic into the docks is confined to that side, and there are fourteen different entrances at right angles to the stream of the river, so that all the vessels about the docks would of necessity cross the track of the timber floats. This would be extremely inconvenient, and is a great objection to the proposed scheme. The timber floats must cross the track of all the vessels and ferry-boats at right angles. If the timber floats, as has been proposed, come out at an early period of the tide, they would interrupt those vessels seeking to enter the docks, which move directly the tide begins to rise: many of these are vessels of considerable magnitude. It is a common practice for vessels to run aground on the flood tide, and haul into the basin as the tide rises; so that there is no period of the tide when the floats would not be liable to meet with vessels entering the docks. It is a constant practice for vessels to ground with the flood tide at the different entrances, and wait for the tide. The timber floats from Birkenhead would be entirely out of the way of the entrances to the Liverpool Docks.

Ferries on the Mersey.

There are eight ferries in use, and two others discontinued at present; they are worked by steamers; the two not in use are Tranmere and New Ferry; the steamers all leave George's Pier at fixed intervals, with the exception of the Woodside boats, and arrive at the same pier. In their courses they pass several of the entrances before crossing the river; the number of trips daily is 556; the Woodside boats depart at convenient intervals of about ten minutes. The increase in the ferry traffic has been very considerable; the want of accommodation was a great grievance for

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a long time, and the Trustees have been compelled to provide a large landing stage in front of George's Pier. In addition to these ferry-boats, there are boats to the Isle of Man, Wales, Scotland, and Ireland; some of these boats start from the Clarence Dock; they discharge their passengers at the pier or at the landing stage, when the tide permits them to get alongside, and if not, in the river by small boats. I see no means of avoiding the inconvenience to the ferry-boats from the timber floats; the boats run to a late hour, and the Woodside boats run till twelve at night. I do not see any time at which the timber floats could be brought out without having a large number of vessels in motion to contend with. The timber floats, when light, draw about one foot water, and when loaded, from three to five feet; the timber is loaded all over the top, so that they cannot bear rough weather.

Capt. Hookey, 14 April, 1848.

Coasting steamers.

The entrance to the Birkenhead Docks is about two miles south of the entrance to the proposed North docks, and is protected from the weather; there would be smooth water on the Cheshire shore, and, in addition to this, the timber floats could come out at any time of tide. The timber rafts are not the same as timber floats; the difficulty of crossing the stream with a timber raft was urged by Mr. Bramley Moore, but this is done daily; the timber used in the construction of the Birkenhead Docks, and in the buildings at Birkenhead, was rafted from Liverpool, and I never heard of any accident occurring in bringing the rafts across the river. There would be no difficulty in rafting the timber across, or in sending it up the river from Birkenhead. There is only one entrance, and the timber rafts or timber floats, when out of that entrance, would be clear of all the river traffic. The quantity required to cross the river for consumption in Liverpool would be very small in comparison with what goes up the river. The timber floats and timber rafts would be protected at Birkenhead from the weather; they could go out into the river at all times of tide, and quite clear of the ships leaving and entering the Liverpool Docks. The vessels unable to get into the Liverpool Docks lie between the middle of the river and the Liverpool side in moderate weather, and if in strong weather, or if it is likely to be bad weather, they go to the Sloyne. Vessels unable to get into the projected timber docks would most of them pass up to the Sloyne for anchorage until they could be admitted, and would have to pass up and down, subject to all the inconveniences of the thronged portion of the river.

Timber rafted across and up the river.

The timber trade might be accommodated at Birkenhead in the great float and above the dam, with great convenience and advantage; a large portion of the land on the margin of the float is at present only agricultural land; it lies low, and might be adapted and employed for storing timber at little cost and at a cheap rate. On the Seacombe side of the pool there are a great number of owners; there would be considerable competition for supplying the requirements of the timber trade. There is no dock charge at Birkenhead upon the cargo—merely a rate according to registered tonnage of the ship. The comparative estimate by Mr.

Timber stowage at Birkenhead.

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Capt. Hooley, 14 April, 1828.

Bramley Moore of charges at Birkenhead and Liverpool, is not correct; the charges upon a 700 ton ship are as follows:—

	Liverpool.			Birkenhead.		
	£	s.	d.	£	s.	d.
Tonnage in and out	43	15	0	43	15	0
Harbour and channel lights	23	16	8	23	16	8
Pilotage in and out	11	0	0	11	0	0
Ballasting	15	0	0	15	0	0
Town dues	22	10	0	22	10	0
Dock dues on goods	22	10	0		—	
	£138	11	8	£116	1	8

Corporation charges.

Showing a saving at Birkenhead of 22*l.* 10s.; but the town dues at present exacted by the Corporation of Liverpool for shipping using the Birkenhead Docks, and from which the shipping at Birkenhead derives no benefit, are disputed.

Cross-examined by Mr. Venables.

I have not made any comparison of the cost supposing the vessel to discharge her cargo into the water and the timber to be rafted or floated for twelve months; the charges I have given are those on the ship; the statement by Mr. Bramley Moore of 1s. 6d. per ton was inaccurate; it was lowered in consequence of the Liverpool Dock Trustees lowering their rates. It is an object with the shipowners to get a return cargo, but the timber ships generally do not take out any cargo. Several vessels have lately been consigned to Birkenhead. I do not know of any vessel so consigned having afterwards gone to Liverpool. The *Bridge Town* was not consigned to Birkenhead; she came into the docks in order to save the expense of lying in the river; it was to suit their own convenience. Sugar, timber, hides, and a variety of things, have been discharged at the docks, and return cargoes of manufactured goods, salt, coal, and bricks. The timber floats would be towed by steamers, but the length they would occupy would be very inconvenient; at present the Duke of Bridgewater's flats, from the Manchester Basin and the Duke's Dock, go up the river, and are taken in great numbers, say six or eight together; and I have known steam and other vessels to run against them and do damage; and no doubt the same will be the case with the timber floats. The ferry-boats to the south would be as much impeded by the timber rafts from the Birkenhead Docks as from the Liverpool Docks, but they are few in number as compared with the others; two of them are discontinued, and the trips of the others are less frequent. The Woodside ferry-boats would be as much interfered with by the Birkenhead as by the Liverpool timber floats. The taking the timber floats across the river from Birkenhead would not interfere with the navigation up and down the river nearly to the same extent; the Birkenhead works are above the greater portion of the traffic.

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Capt. Hookey, 14 April, 1848. Exposure of wall on North shore.

The river wall to the north is in a very exposed site, and I cannot but think that the sea will be increased by its extension. The new North Docks are not ready for the reception of vessels. I have been at the entrance of the Clarence Docks and I think the current increased since the North Docks were in the course of construction. The entrances to the other docks up to Prince's Basin would relieve the pressure on the one entrance of 200 feet to the proposed works, and other entrances might be made, but they would be objectionable because of their exposure. There would be difficulty in entering during strong winds. The entrance to the new North Docks is so exposed that it was proposed to construct a breakwater, and I think it will still be found necessary; but this is matter of opinion. There would be some advantages in certain winds to a vessel leaving the Mersey from the Liverpool side, but it is trifling, and, in these days of steam tugs, not worth noting.

Re-examined by Mr. Webster.

Low-water basin.

When the great low-water basin at Birkenhead is made, there will be no basin on the Liverpool side affording the same convenience for entering, or accommodation at all comparable; it will do away with the difficulty, inconvenience, and expense now experienced at Liverpool. In a neap tide there will be 19 feet water in the basin at low water. Vessels are entirely excluded during neap tides even at high water at Liverpool. The Birkenhead works are of great importance for the government steamers, and for the steam trade generally, which is very inadequately accommodated at Liverpool. Mr. Bramley Moore has explained to me, that vessels would have the means of entering the other docks, and after passing through them could get into the timber float; but then the water must be kept at the same level throughout, unless you lock through them. I believe there is no lock between the Clarence Basin and the new North Docks: there is none shown on any plan that I have seen. It is quite new to me that there was to be any entrance except through the one basin. The Clarence Basin is decidedly too small for the traffic that already exists there; it is the most northerly and exposed basin at present in use; it is partially protected by the Cheshire shore. I have known large steam-vessels that have not attempted to dock there from the state of the weather. The entrance to the Victoria Dock is closed by a wall; that is an entrance in the wall similar to the one now proposed; the other entrances are recessed.

Several cargoes of timber have been sent away from Birkenhead; they were discharged and sent away without difficulty; to the apparent satisfaction of all parties. There are peculiar facilities at Birkenhead for return cargoes of salt, iron, and coal. The Liverpool Dock Trustees reduced their rates upon these articles immediately after the Birkenhead Docks were opened. The sill at the Morpeth Dock, the temporary entrance to the works, is five feet below the old dock sill at Liverpool,

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Capt. Hookey, 14 April, 1848.

and six inches higher than the sill of the Brunswick, the present timber-dock at Liverpool.

I did not understand Mr. Bramley Moore to say that the whole of the 100 vessels referred to were detained for want of water, but from various causes; not from crowding alone. The navigation of the river and the ferry steamers would be impeded by the timber floats from the north. It would take the timber floats from half to three-quarters of an hour to get quite clear of the Liverpool Docks; the distance is four miles. On the flood tide vessels make for the docks both night and day. No arrangement could be made to prevent interference. The Woodside boats run from five in the morning till twelve at night. They carry 5,000,000 persons in the course of the year. At Birkenhead the timber floats would load in the upper part of the float, and pass out through the great basin when the gates were open, or be locked out at other times. The basin is 500 feet in width. There would be room enough should a large fleet of vessels arrive after an easterly wind, for the timber floats to leave without inconvenience. The traffic on the Lancashire is so much greater than on the Cheshire shore, that the danger is greatly increased. The timber floats would lock out from Birkenhead even at low water.

W. H. Sloman.

William Henry Sloman, examined by Mr. Hope.

I am Secretary and Superintendent to the Birkenhead Dock Company, and was previously engaged in similar employment at the East India Docks and Southampton. I have examined the statement of Mr. Bramley Moore as to the comparative charges at Liverpool and Birkenhead. The circular which has been referred to of the Birkenhead Dock Company, was published twelve months ago, when the rate on the vessel was 1s. 6d. a ton at Birkenhead and at Liverpool; since that, the rate has been reduced to 1s. 3d.; the amount, 83*l.*, charged at Liverpool, according to Mr. B. Moore's statement, is merely the charge for working out of the ship's hold, and drawing the timber out of the ports to the quay; the amount of 163*l.*, charged at Birkenhead, includes not only the taking it from the ports, but loading it on the quay and measuring it for customs measurement, loading it on the railway trucks, taking it to the place of deposit, piling it there, and the subsequent delivery. The items of comparison are totally different; the calculations are totally different. A cargo of timber (say 900 loads), going through the ordinary operations, will cost at Birkenhead 163*l.* 15s., and at Liverpool 228*l.* 10s.; the 163*l.* 15s. at Birkenhead, which Mr. B. Moore contrasts with 83*l.*, ought to be contrasted with 228*l.* 10s. at Liverpool. I am acquainted with and can give all the details and duties both at Birkenhead and at Liverpool. The comparison I have given is between Birkenhead as it is and Liverpool as it is. Mr. B. Moore's tables make a comparison between Birkenhead as it is, and Liverpool as it is to be at the north end.

Charges on timber at Liverpool and Birkenhead.

Mr. B. Moore does not consider how Birkenhead is to be; he takes it

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as it is; the proper comparison between us is, as we are, and is much in our favour; he has given to Birkenhead none of its prospective advantages, as he has to Liverpool in reference to the north shore; he considers that though they may reduce the charges at Liverpool, that we cannot make improvements at Birkenhead, but must stand still. Suppose a vessel to have entered the dock and to be ready to discharge her cargo, there are the tonnage rate, harbour and channel lights, pilotage, ballasting and town dues common to both, the last being disputed at Birkenhead; and there is a difference of 22*l.* 10s. in our favour for dock dues. Suppose the vessel to be discharged, the amount of labour to be performed is the same, on both sides the water. Wallasey Pool will be as open and free to merchants as the proposed new works at Liverpool, and the wages being the same, the cost will be the same. It does not follow that persons who come to Birkenhead would employ the Dock Company; they are free to employ their own labourers. The rent charged by the Dock Company at present is 3d. a load a quarter, which amounts to 45*l.* against 47*l.* 10s., Mr. B. Moore's rent at the new works, so that the charge by the Dock Company at Birkenhead at present, is less than the contemplated charge at Liverpool; and there is this further advantage, if you hire a piece of land at Liverpool for the deposit of 1000 loads of timber, you pay rent for the whole, although there may only be 100 loads upon it; whereas the Dock Company charge only according to the quantity of timber deposited. There are many landowners on the pool who would be glad to take in timber, or let their land, at much lower rents than the Dock Company. There are many hundreds of acres of agricultural land not producing 2*l.* an acre, and other land totally unoccupied; the railway will be carried across the dam, and the landowners on the north side will be glad to let the land as low as at the north end of Liverpool. The land now let at 2*l.* per acre, I have assumed as let at 10*l.* per acre, which is one halfpenny per square yard; I assume that water stowage may be obtained for that. The saving at Birkenhead will be 52*l.* 1s. 8d. on the assumption of one halfpenny a yard at Birkenhead against 3d. a yard at Liverpool. The Birkenhead Dock Company does not allow of private persons going on its property; it does its own work, as the Dock Trustees do in the Albert Dock at Liverpool, and makes one charge for receiving and delivering the timber.

W. H. Sloman, 14 April, 1848.

Alexander Ady, examined by Mr. F. Goldsmid.

Alex. Ady.

I have had considerable experience as a civil engineer in tidal rivers, and am generally acquainted with the estuary of the Mersey. My attention has been called to the proposed works at the north shore; the tendency of the extension of the wall will be to send a stronger sea along the present line of docks and their entrances. The further extension of the wall will be likely to increase the deposit in front of the wall; an extension of the sea wall at the south end would be likely to improve the Mersey very much.

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Mr. Bradford, 15 April, 1848.

Mr. Bradford, examined by Mr. Webster.

I have been extensively engaged for many years as a contractor for public works, and I have seen Mr. Rendel's estimate for the dam across the pool, so as to pen up the water for the other works. The excavation of the fifty-three acres could be completed by the end of next summer, and of the twenty acres, by Christmas of the present year, if the requisite funds be forthcoming.

Mr. Austin intimated that he did not dispute Mr. Rendel's estimates.

Monday, 17*th April*, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Mr. Austin was heard in reply, in support of the preamble of the bill.

Tuesday, 18*th April*, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Admiralty reports.

The report of the Lords Commissioners of the Admiralty, dated 3rd April, on the bill before the committee, having stated that "the exact form and extent of the proposed sea wall and docks do not appear by the evidence to be as yet fully matured, and their lordships will, therefore, only assent to the measure on the condition that plans of the proposed works shall be submitted to their lordships for approval, and liable to such alterations and modifications as the Lords Commissioners shall deem requisite for the preservation of the navigation of the Mersey," the required plans were submitted, and the following communication received:—"Since the report of the Admiralty, under the Preliminary Inquiries Act, was presented to Parliament on the 3rd inst., the promoters of the measure have laid before the Lords Commissioners of the Admiralty special plans, showing the direction of the proposed sea wall within which the docks are to be constructed, extending from A to B, and from B to C, and from C to D, as marked on the accompanying plan. Their lordships are of opinion that the completion of the entire line of sea wall from A to D is likely to prove beneficial to the channel and navigation of the Mersey, and their assent will therefore be given to the same under the condition that the entire length of wall from A to D, either as a temporary or permanent work, be completed within five years, and without any deviation of direction, unless with the consent of the Admiralty first obtained. The promoters proposed to construct the permanent line of sea wall in three stages,—viz, from A to B, and with a return wall, B E, as the first stage of the operations; from B to C, with

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a return wall, C F, as the second stage of the proceeding; and from C to D as the third stage. Their lordships are of opinion that the return walls B E and C F are likely to cause injurious eddies to the currents of the tide, but they will assent to their erection as temporary and necessary steps in the progress of an entire scheme which they consider will prove beneficial to the navigation of the Mersey." Admiralty reports.

An objection having been taken that this was a new case; that the Trustees had proposed to go from A to B on the plans, but they were required by the Admiralty to go from B to C, and also from C to D, the latter point being a mile beyond the proposed sea walls and works to which the estimates applied, the Trustees brought the matter again under the consideration of the Lords Commissioners, and at the meeting of the committee on this day the following letter, addressed to the chairman, was read:—

"My Lord,—The promoters of the Liverpool Docks Bill having explained to the Lords Commissioners of the Admiralty, since their report yesterday, that it was intended to construct the line of the river wall A D in four steps or stages, and not in three, as they had led the Admiralty to suppose, and that the first stage applies to the extent shown in the deposited plan of the promoters;

"I am commanded by the Lords Commissioners of the Admiralty to inform your lordships that the point to which the greatest importance attaches, is the direction and eventual completion of the river wall as shown on the plan accompanying their lordships' report of yesterday, and which was submitted by the promoters and approved of.

"Their lordships therefore assent to the deposited plan.

"Their lordships are of opinion that the proposed alteration of the site of the proposed dock gates will be an improvement on the original plan.

"To protect the channel and navigation of the entrance of the River Mersey, all that their Lordships require is, that the proposed wall be constructed with a view to the completion, at a future time, of the whole line A D; that the works of the deposited plan be executed to the satisfaction of the Board of Admiralty.

(Signed) "H. G. Ward."

The Committee resolved that the preamble of the bill was proved.

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EVIDENCE IN THE HOUSE OF COMMONS.

Session 1848.

BIRKENHEAD DOCKS' BILL.

IN THE HOUSE OF COMMONS.

Thursday, 9th May, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Mr. Serjeant Wrangham, Mr. Hope, Mr. F. Goldsmid, and Mr. Webster appeared as counsel, and Messrs. Macdougall and Newall as agents for the following Birkenhead Docks' Bills:—

The Crown Bill.

1. "A Bill to empower the Commissioners of her Majesty's Woods to reclaim Crown Lands and aid the completion of the Docks and other Works at Birkenhead." The principal clauses were as follow:—To revest certain lands in the Crown; to provide for payment by the Crown of the cost of reclaiming certain land; to provide that, in the event of the Crown being evicted, the monies expended in reclaiming the land should be a primary charge upon the lands reclaimed; to empower the Commissioners of Woods to borrow 220,000*l.* on the security of the land revenues of the Crown, and to lend 150,000*l.* to the Dock Trustees for the completion of the works, the monies so advanced being a primary charge upon the property of the Dock Trust, and having a priority over all other securities. This Bill was called the Birkenhead Docks' Completion or Crown Bill.

Mr. Lowndes and Mr. Cooke appeared as counsel, and Messrs. Humphrey and Forshaw as agents, on the petition of Mr. Stewart, a bondholder, against the Birkenhead Docks' Completion Bill.

Mr. Johnson appeared as counsel, and Messrs. Dorrington as agents, on the petition of Joshua Pollard and others, against the Birkenhead Docks' Completion Bill.

Mr. Lowndes and Mr. Dickenson appeared as counsel, and Messrs. Humphreys and Forshaw as agents, on the petition of persons interested in the coasting trade, against the Birkenhead Docks' Completion Bill.

The Transfer Bill.

2. A Bill to alter and amend the several Acts relating to the Birkenhead Commissioners' Docks, and to transfer the several powers of the said Commissioners to a corporate body, to be entitled "The Trustees of the Birkenhead Docks, and for other purposes." This Bill provided

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for the constitution of a new trust, in which the Crown, the inhabitants of Wallasey, and the Bondholders respectively, should be represented, and was called the Transfer Bill.

The Rating Bill.

3. A Bill to extend the powers and provisions of the Acts relating to the Birkenhead Commissioners' Docks, to enable the said Commissioners to charge rates for the use of wharves and other conveniences for loading, unloading, and depositing goods, and to exempt vessels and cargoes from certain tolls, rates, and duties charged by the Trustees of the Liverpool Docks and by the Corporation of Liverpool, and for other purposes. The principal clauses were—To empower the levying of rates for the use of the wharves of the Morpeth and Egerton Docks; to afford vessels entering the Liverpool Docks from Birkenhead, or entering the Birkenhead Docks from Liverpool, the same privileges as vessels coming from the nearest home port to the Mersey; to exempt goods imported at or exported from the Birkenhead Docks from the payment of town dues to Liverpool. This Bill was called the Rating Bill.

Mr. Austin, Mr. Talbot, Mr. Venables, and Mr. Burke appeared as counsel, and Messrs. Pritt, Venables, and Co. as agents, on the petition of the Liverpool Dock Trustees and Liverpool Dock Bondholders, against the Rating Bill.

Mr. Mereweather appeared as counsel, and Messrs. Pritt, and Co. as agents, on the petition of the Birkenhead, Lancashire, and Cheshire Junction Railway Company, against the Rating Bill.

Messrs. Gregory, Faulkner, and Co. appeared as agents, on the petition of the Corporation of Liverpool, against the Rating Bill.

Mr. Serjeant Wrangham opened the case in support of the Birkenhead Docks' Bills.

Capt. Hookey,

Captain Hookey, examined by Mr. Goldsmid.

Rates on vessels from Birkenhead to Liverpool.

I am harbour master at Birkenhead. If a ship arriving from a foreign port and discharging the whole of her cargo in the Birkenhead Docks afterwards proceeds to Liverpool for the purpose of receiving another cargo for any foreign place, dock rates are charged as if she had not been at Birkenhead at all. A vessel called the *Leo* discharged a cargo at Birkenhead from Montreal; she had afterwards occasion to go to Liverpool, not for the purpose of taking in a cargo, but because we could not at that time afford her the opportunity of being repaired; the Liverpool Dock Trustees charge the full rates as though she had not been at Birkenhead at all; she afterwards left the Liverpool Docks and came to Birkenhead for ballast, and proceeded on her outward voyage. Her cargo was principally grain. She had discharged her cargo at Birkenhead, and paid the Birkenhead Dock rates as from Montreal, and then went to Liverpool to be repaired, where she had again to pay the full rates to the Liverpool Dock Trustees, although she only remained there during the time she was being repaired, and returned to Birkenhead to receive

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ballast to go on her outward voyage. Had the vessel entered any other home port than Birkenhead, she could have entered the Liverpool Docks as a coaster, and would have been received as such, and paid a less rate. The rate from Chester would have been 2¼*d.* instead of something above 1*s.*, the sum actually paid. The tonnage rate is charged on the ship; it would have made a difference of from 9*d.* to 10*d.* a ton. *Capt. Hookey,* 9 May, 1848.

On the Morpeth and Egerton Docks there is railway accommodation belonging to the Dock Commissioners, with all its necessary accompaniments, as turn-table and cranes; there is every kind of accommodation necessary for railway traffic; this was provided at the expense of the Dock Commissioners, and is used by the Railway Company without any payment. The Railway Company does not pay for the use of the cranes or other property of the Commissioners; nor does it pay any dock dues. Railway on dock quays.

Cross-examined by Mr. Talbot.

The Liverpool Dock Trustees have, I believe, the power of charging 3*s.* a ton on vessels; the goods of the *Leo* were entirely landed at Birkenhead; there is no dock rate on goods at Birkenhead. The Act of 1844 was accepted from Parliament without any charge on goods. Ships come repeatedly from Chester and London to Liverpool as coasters. There would be a sea risk in such a case; the cost of pilotage would be incurred from Chester or Birkenhead to Liverpool. I have heard it stated that the graving docks are not a source of profit to the Dock Estate. The *Leo* had to pass through one of the Liverpool Docks to the graving dock; she stayed there a few days; then returned to Birkenhead, and went out in ballast. A vessel going from Birkenhead would have as good a chance of getting into the graving dock as if she had brought a cargo of goods that had paid rates to the Liverpool Dock Estate; she would have booked herself and taken her turn; she had to pay dues as from a foreign port; she ought to have paid only the dues as from Chester or other home port; she should have paid the foreign dues at Birkenhead, and gone into Liverpool as a coasting vessel at the low rate; a vessel would have been received at Birkenhead from Liverpool at that rate. Vessels have a right to lie in the Liverpool Docks four months, and in the Birkenhead Docks six months, without additional payment. The Herculaneum property at Liverpool belongs to the Birkenhead Dock Company, not the Commissioners; it was bought with the idea of affording accommodation to vessels that had been first in the Docks of the Birkenhead Dock Company at Birkenhead, on account of their not receiving a liberal accommodation from the Dock Trustees at Liverpool; it has not been carried out. Lighters pay no dues either at Birkenhead or Liverpool; the transhipping goods by lighters from Birkenhead to Liverpool would cost the importers more than sending the vessels with the goods to Liverpool in the first instance. A vessel from a foreign port entering the Birkenhead Docks would have to pay the rate upon her registered tonnage the same as though she went to

No dock rates at Birkenhead.

Rates from home ports.

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Capt. Hookey, 9 May, 1848.

Liverpool and discharged the whole of her cargo; the cost of discharging her cargo and reloading it into lighters (admitting that such lighters are not charged anything, and of the vessel crossing over to Liverpool for her return cargo, would be greater than if she had gone direct to Liverpool and paid the rate on the ship and the dues on the cargo. The parties promoting the different Birkenhead Bills did not contemplate such illiberality; the Liverpool Dock Trustees do not observe the existing statutes from any other port. Vessels are received from other home ports at the coasting rates, and I do not see why Birkenhead is to be made an exception from London; vessels are received as coasters from London and pay a less rate; we have a right to expect the same; vessels would come from Birkenhead much more frequently than from London. We are the nearest port to Liverpool; it is all the port of the Mersey. Liverpool is confined to one side of the Mersey and Birkenhead to the other; it may all be called the port of the Mersey, but scarcely the port of Liverpool. The custom-house is at Liverpool, and there is another at Runcorn; there is a branch custom-house at Birkenhead from the Liverpool custom-house.

Friday, 10*th May*, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Captain Hookey, further examined.

Capt. Hookey 10 May, 1848. Ships from Liverpool to Birkenhead.

There have been instances of ships having been received at Birkenhead from Liverpool; we received a vessel called the *Allerton*, for the purpose of giving accommodation in the graving dock, which we have now, but which we had not at the time the *Leo* required one. In consequence of the graving docks at Liverpool being full, the *Allerton* came to Birkenhead for that accommodation. We received her, and charged the same tonnage-rate for passing through the wet dock as we are asking to have vessels from Birkenhead to Liverpool received at; we charged the coasting rate, 1⅛*d.* per ton, the same as from Fleetwood or Preston; that was exclusive of the graving dock rate, which was the same as at Liverpool. There are thirteen or fourteen graving docks at Liverpool, and vessels have frequently to wait to get in; three vessels have come over to Birkenhead at the same rate.

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J. M. Rendel, examined by Mr. Hope. *J. M. Rendel,* 10 May, 1848.

The Commissioners have not at present money for carrying on the works authorised by the first Act; that arises from money which was raised for the works not having been expended on them. A large portion of the funds raised for the purposes sanctioned by the Act of 1844 had been lent, and was not forthcoming; other portions have been spent upon works not authorised by that Act, and are not available for the works so authorised. The capital authorised to be raised by the first Act was 400,000*l.*; the whole sum was obtained very shortly after the passing of the Act, and the works were commenced in October, 1844. There was a second Act in 1845, authorising the raising of 600,000*l.*, of which 450,000*l.* was to be appropriated to walling and deepening the pool within the dam—that is, within the works authorised by the Act of 1844. The remainder was intended to supply the deficiency of the Act of 1844. The money raised under that Act is 23,000*l.*, but no attempt was made for twelve months to raise the money under that Act. The estimate had not been altered during the passing of the Act in the session of 1843-4; but the plans had been considerably altered on account of the opposition which the measure met with in Parliament. The estimate would have been sufficient for our own proposed works, but additional works were thrown upon us by the opposition, which required more money. Additional works.

The works commenced in October, 1844, and were carried on with considerable vigour until June, 1847. Mr. Tomkinson commenced the works, under a contract, and carried them on up to the beginning of 1846; his contract included the entire works authorised by the Act of 1844, but his prices for the excavations were extremely low. The times had changed; he became frightened, and the Commissioners excused him from his contract. From the time of his withdrawal the masonry was carried on by the Commissioners' own workmen, but the excavations were let by contract to several contractors. The works were so carried on from January, 1846, to June, 1847; during that period we completed the walls and the excavations for the Woodside Basin, and extended the cofferdam for the enclosure and site of the Great Basin, and the cofferdam for the completion of the passage between the Egerton Dock and the Great Float. We constructed that which is called the Morpeth Dock by converting what was intended as a temporary passage into a dock. We completed the south-west end of the Great Basin, the walls of which are twenty-one or twenty-two feet below the Old Dock sill at Liverpool, and some of the highest in the country; we put in all the sluices, and completed the Egerton Dock, and were rapidly advancing to the completion of the whole of the works between that dock and the float. I do not know any instance in which so much masonry was done in eighteen months, or so cheaply. We were going on very swimmingly to finish the whole. The Morpeth and Egerton Docks being opened, it was of Progress of works.

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J. M. Rendel, 10 May, 1848.

course desirable that these two works should be made available for revenue to the trust as soon as possible, and it was thought prudent by the Commissioners at the time, that they should form a communication with the Great Float, so that the water being impounded in the float, the whole of that upper pool might afford at once, and pending the construction of those works, a large extent of accommodation to the timber trade; and we were proceeding upon that plan most vigorously at the time we were stopped.

We found, as a matter of experience, that Mr. Tomkinson was wrong as regards the excavations, but right as regards the masonry: he was a very good mason, but a very poor excavator. That is the history of Mr. Tomkinson finding himself wrong at Birkenhead. We were losers, by giving up Mr. Tomkinson's contract, to a very considerable extent in the excavations.

The Morpeth and Egerton Docks were open to the public in April, 1847, not more than fifteen months after we took the works into our own hands. We were proceeding to impound the water at Wallasey Pool at the time when we came to a stop, and we had incurred very considerable expenditure with that view. Supposing no difficulty had occurred, I had made all the arrangements which would have insured, I may say, as far as any work may be considered sure, the completion of the dam and the impounding of the water, by the arrival of the autumn cargoes—the timber cargoes from America—last year.

Expenditure on works.

Up to the first of October we had expended, according to our dockyard accounts, which of course represent the exact expenditure upon the works, 291,700*l.* 17*s.* 3*d.*; that included our stock and plant; our stock and plant had cost us about 66,000*l.*: it is there now, and I think at present worth every farthing of the money. It is worse than useless now; the works are suffering by the suspension. Want of funds, and the unhappy divisions that took place in the councils of the Commission, led to the stoppage in June, 1847; the money had been actually raised, but was not forthcoming. We wanted only about 50,000*l.* to accomplish the objects I have referred to,—namely, the impounding the water and the working of the float through the Morpeth and Egerton Docks; although there was more than twice that sum unexpended and loaned, it was not forthcoming; although 422,000*l.* had been raised, we could not get more than 291,000*l.*

Wallasey Pool in 1843.

In 1843, when I was called upon to examine Wallasey Pool, and to propose a plan for docks, I found the whole of it flowed over by the tide in a very zig-zag line; the whole area, bounded by the line of high and low water of spring tides, was about 370 acres. It became, at a very early stage of the proceedings, matter of grave importance, both as a means of preventing litigation and of carrying out those works with the concurrence of the Crown, as well as the frontages on the margin of the pool, to determine the boundary between the Crown rights and individual rights. I suggested that we should avail ourselves of the account of the tides that

Mode of ascertaining Crown rights.

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had been kept at Liverpool for many years; that we should add together the tides of every day for as many years as we could get, and then divide by the number of tides, and that the medium of all the tides, that is, taking both the springs and neaps, should be settled as the boundary between what might be fairly claimed by the Crown and what might be left for any questions between the landowners themselves. The Crown, through Mr. Pemberton, demurred, upon the ground, that in almost all other cases—indeed, I believe in all other cases—the Crown rights had been considered as extending to the average high water of spring tides, and I was very well aware that it had been so in two or three cases; but I contended that in this case, as all parties ought to contribute to the great object of carrying out this public work, it would produce an amount of harmony which was exceedingly desirable, that it should be the medium of all tides; and Lord Lincoln, who was then Chief Commissioner of Woods, agreed with me. Mr. Pemberton was right that his view of the case had been taken and maintained by the Crown in other cases, and the giving up that was a concession. We had the tide tables that had been kept for particular purposes at Liverpool between the years 1837 and 1843, seven years; we took the mean of all the tides, which appeared to be 15 feet 6 inches upon the Liverpool Old Dock sill. The first concession made by the Crown was as to the mode of ascertaining its rights; a further concession was made when those rights were ascertained. The Crown gave 150 acres for this Great Float, sixteen acres for the Woodside Basin, seven acres for the wharves round the Woodside Basin, sixteen acres for the South and North River wall and wharves, thirty-seven acres for a great low-water basin, three acres for the Egerton Dock, and thirty-six acres for the great dam and wharves round the basins and Bridge End Dock; altogether the Crown gave 265 acres out of 348, reserving, therefore, to itself only about 83 acres. This mode of settlement between the Crown and landowners was generally assented to by the landowners; so far as I came in contact with any of them, I never heard a murmur; on the contrary, every landowner appeared to think that the Crown in the mode of settlement, namely, taking a 15 feet 6 inch tide-line, had acted very liberally.

J. M. Rendel, 10 May, 1848.

Concessions by the Crown.

The right having been thus ascertained, the Crown gave up 265 out of 348 acres, retaining 83 acres as the Crown reserves. One considerable portion of the land to be reclaimed was situated between the Great Basin and Seacombe, and another portion was between the Great Basin and Birkenhead; these two portions amount to about 60 acres; the remainder was composed of small pieces along the margin of the pool above the dam, between the line of wall as settled by the conservators, the Admiralty, and the landowners. The reserves under the Act of 1844 were confined to the land reclaimed by the works of that Act. The land reserved in the pool above the dam was reserved by the Act of 1845, which provided for the wall in question, and which passed through Parliament without a single petition against it. The Birkenhead Dock Commissioners had the frontage

Crown reserves.

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J. M. Rendel, 10 May, 1848.

Entrance to Crown reserves.

Temporary entrance to Great Float.

to the Mersey, and also to the low-water basin, of the reclaimed land, the Crown reserving the power of making entrances into that land either from the Great Basin or from the river, as might be best for the purposes to which it should be appropriated. A temporary communication with the Great Float during the construction of the low-water basin was one of the first works begun; such passage being required as a means of communicating with the upper parts of Wallasey Pool, pending the construction of the Great Basin, from which the water was to be necessarily excluded. It was intended simply as a temporary expedient in the first instance, and was mainly upon land reserved by the Crown. The passage was made by the licence of the Crown, and for a temporary purpose. It was afterwards suggested that what had been designed as a temporary work, could, profitably for all parties when it was done with as such, be converted into a dock of a particular kind. Plans were deposited, and a Bill introduced for that purpose in 1845; but the Commissioners of Woods objected to it, on the ground that it would be time enough to make that when the other works were carried out, and the Bill was in consequence given up. New negotiations were opened with the Commissioners of Woods shortly after that, and they allowed that which had been intended as a temporary tidal passage into the pool, to be used as a temporary tidal passage into the Egerton Dock, so as to open the Egerton Dock as soon as possible; the Commissioners of Woods consented to this passage being used pending the construction of the Great Basin, when it would be required no longer, because vessels might get into the Egerton Dock through the lock between it and the basin. The Dock Commissioners considered it advisable to place temporary gates on the line of the wall of the Woodside Basin, and convert this temporary passage into a portion of the dock itself, rather than to make it a tidal passage to the dock. The Dock Commissioners then proceeded to wall the sides; their law clerk, Mr. Mallaby, returned from abroad, and it appeared that what had been done was illegal, and a long correspondence took place with the Commissioners of Woods. The issue of that correspondence was, that at my own very earnest suggestion, representing the whole case to the Commissioners of Woods, namely, that the Dock Commissioners had unfortunately been spending the money of the bondholders upon a work that was not legal, and that unless the Crown should concede still further the site of those works, and such an addition as should in some degree compensate the bondholders for the outlay of the money, the case was one that could not be justified, and for which all parties were inexcusable; the two parties agreed,—the bondholders, whose money had been illegally spent upon the works, and the Crown, whose land had been built upon. The Crown might have said, You have chosen to lay out your money upon this property of ours, and we shall avail ourselves of the advantage of it. The Crown might have evicted the Dock Commissioners and taken possession of the works, but the Crown gave permission to come to Parliament for power to exchange not only so much land as had been taken

Origin of Morpeth Dock.

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for those illegal works, but as much of the reserve upon the side of that dock as was required for graving docks. Those were further instances of the liberality of the Crown; besides thereby benefiting the Dock Commissioners, and getting them out of their difficult position, it was a liberal act towards the public. When I found that the money laid out by the Dock Commissioners could not be recovered for the general purposes of the undertaking, I insisted upon the arrangement as necessary, and I said that if the Crown did not do that which might prevent the loss falling on the bondholders, I should resign my connexion as engineer of the works, and give them up; I do not know whether that had any influence, but I had a strong feeling on the subject. *J. M. Rendel*, 10 May, 1848.

These were the different operations that took place up to the cessation of the works in June, 1847. Besides the plant lying idle, the suddenness of the stoppage was the cause of considerable loss. There is 66,000*l.*, worth of property at this moment in plant and stock, depreciating at a rate, I should say certainly of five per cent., besides all the interest of the money. There is a loss of, say five per cent. of interest upon the 66,000*l.* and a further five per cent. of annual depreciation. The duration of the delay is very material indeed, so far as the money already sunk is concerned; and in addition to that, half-finished works suffer more than works that are completed; tidal works, in a half-finished state, suffer from weather and silting up. Various efforts were made to resume the works. A change took place in the Commissioners, and the new Commissioners exerted themselves to get money, but they did not succeed; they could not get the money back from the parties to whom it was lent; it was manifest that interests were too much confused at Birkenhead to be carried on without a change in the management.

About that time Mr. Jackson, I believe, called on the Commissioners of Woods, and represented the state of things and parties at Birkenhead, and I received a summons to attend the Commissioners; I attended them, and then I heard, for the first time, the proposal that Mr. Jackson had made, and the degree of attention the Commissioners of Woods had given to his proposal. After that I had interviews with the Commissioners of Woods; they were very well disposed towards us; they early intimated that their chief difficulty was reconciling the interests of the public with the interests of individuals. That led to specific proposals, in which the interests of all parties were considered, in substance those which are contained in this Bill. The arrangements entered into with the Commissioners of Woods will, in my opinion, secure the execution of the works for the public, and the repayment of the advance by the Crown. I think, looking at all the circumstances of the case, and that they were in this instance acting in the double capacity of landowners, and of the Government seeking to promote the commerce of that great port, the arrangement was liberal and wise, and if carried out will be found to be so. It will be beneficial to the bondholders, as securing them their money; beneficial to the public, as securing them the works; and Proceedings in October, 1847.

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J. M. Rendel, 10 May, 1848.

beneficial to the Crown, as creating valuable property, with full security, for the money advanced. The Crown reserves would be available for very many purposes. The Crown is benefited by having the entire of the reserve on the Seacombe side. Under the previous arrangement, the Crown had no means beyond that which I have already named, namely, the making a communication either from the Great Basin, or from the river, for converting the reserved land into purposes for which it is particularly available, as marine and commercial purposes. I cannot imagine a finer site for a naval steam basin than that; there would be access by means of the low-water basin at all times; I consider that a beneficial change; it will minister to the public interest as well, supposing the land to be appropriated to public purposes. The Crown procured advice as to the value of this land from a very competent person, Mr. Stewart of Liverpool, who, I suppose, has had more experience in determining the value of land of that description than any man. He is a gentleman wholly unconnected with the Birkenhead schemes; but I believe him to be as superior to any feeling of that sort as man can be. The two letters forming his report upon that subject have been laid before the Committee. The total value in money assigned to the Seacombe Crown reserve is 240,000*l.*, and to the Birkenhead Crown reserve 88,000*l.* That gives for the north land the value of 4066*l.* per acre, and the south land 5026*l.* per acre. The whole sum to be advanced by the Crown under this arrangement is 217,000*l.* on the security of land valued by their own surveyor at 328,000*l.* Of that amount 150,000*l.* is to have priority over the bondholders who have advanced 423,000*l.* The land, valued at 328,000*l.*, may be considered as purchased by 67,000*l.*, and the advance of 150,000*l.* is a prior charge upon the whole proceeds of the port.

Value of Crown reserves.

Under the Act of 1845 the Dock Company agreed to purchase from the Crown their frontage, at, I believe, 57,000*l.* I do not know whether the payment of that money would depend upon the construction of the works. It would be a very hard thing upon the Dock Company if the works are not carried out. Whatever the nature of the bargain may be, I think the Crown could hardly claim to recover that 57,000*l.* without showing the desire to do all in its power to enable the Dock Company to realise the value of this land by carrying out the other works. If the Crown were to be obstructive in the matter, that would be material; but I am not competent to say what ought to be the conduct of the Crown or the Company in that case. If the money agreed for could not be claimed for the Crown until the works are completed, that would add to the benefit to be derived by the Crown by the further sum of 57,000*l.* The Crown is deeply interested in carrying out those works, not only on account of the land which it would immediately get, but also on account of the works that would pay for being carried out; that is, works affecting land for which the Crown would obtain value.

Agreement with Dock Company.

The Crown has instituted a further inquiry as to whether the estimates were sufficient to ensure the completion of the work, and referred

References to Mr. Stephen-

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that matter to Mr. Robert Stephenson. It occurred in this way. It had been stated that the Crown had made a blind bargain, as the works could not be carried out for the estimate, and the Crown naturally became anxious to ascertain how far the data upon which it had proceeded in the arrangements might be correct, and it was decided that all the estimates should be referred to an engineer. Mr. Robert Stephenson, who had no connexion with Birkenhead, was selected. He had not seen my estimates when he made his own, and the difference between my estimate and his is not more than about 3000*l.* His estimate, particularly as to the excavations, is very high. I do not think he has given sufficient weight to the fact that we have a contract with a very responsible contractor for those excavations, by which it will appear that he puts 18,000*l.*, and 10 per cent. upon that, more upon those excavations than our contract amounts to. In fact, he has charged 20,000*l.* more for those excavations than our whole contract amounts to, and we have the contractor at this moment threatening us with an action at law for the loss of profits if the work is not carried out. *J. M. Rendel,* 10 May, 1848.

The excavations for which we have contracts amount to 81,535*l.*; to that I have added 10 per cent. for extra safety; it is unnecessary; that amounts to 8153*l.*; so that I debit the work, for the completion of which we have actually contracts by responsible contractors, with 8153*l.*, in addition to the amount of the contracts; that amounts to 89,688*l.* The masonry is taken at the full cost that we have ascertained we can do it at from the cost during three years, as shown from our own books of cost for works carried on when prices were fully 10 per cent. higher than they are likely to be for the next two or three years; that amounts to 210,720*l.*; but I have taken the additional precaution, in order that there may be no want of funds, of adding to that 20 per cent., which makes a total of 252,792*l.* The total amount is 342,480*l.*, which includes 50,000*l.* for contingencies upon prices made up from our own books of the cost of works during the years 1845, 1846, and 1847, when labour and materials were fully 10 per cent. higher than could be expected, and I hope I may say than there is any chance of their being the next two or three years, and also 10 per cent. upon existing contracts. Estimates.

We propose to meet that amount in this way: the value of the present stock, which of course is like money to us in carrying out those works, is 18,513*l.*; the value of the present plant, which has cost more than 30,000*l.*, I have taken, when done with, to sell at the low price of 16,000*l.* I take the timber from the cofferdams, which has cost us, I suppose, not less than 12,000*l.*, at the low price of 2000*l.* There was owing to the Dock Commissioners in various ways, at the time the account was made up, 117,000*l.* The payment by the Crown for the land and wall, for what we have done to the river wall and what it will cost to complete it is 67,000*l.* The loan proposed to be made is 150,000*l.* That will make 371,113*l.* The debt, exclusive of the interest to the bondholders, of which I do not know the amount, is 27,000*l.*, which, Available funds.

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deducted from the 371,000*l.*, leaves available for the new works 344,000*l.*

Rating Bill.

The Rating Bill seeks to charge with rates goods landed upon the wharves of the two docks that are now open, the Morpeth and Egerton Docks. If the Dock Commissioners had not, out of the funds raised by them under the existing Acts, made those wharves, railways, turn tables, and a variety of other conveniences for trade, private parties must have made them, who, as a matter of course, would have charged the trade for those conveniences. The Morpeth Dock was not contemplated, as I have stated; no wharves, therefore, were contemplated; the Egerton Dock was a very different thing as originally contemplated to what it is now; so far as my knowledge of the Bill goes, it is not intended to make charges in respect of any works originally proposed. There has been, or will have to be, expended before the Morpeth Dock is completed, 57,136*l.*; and on the two about 88,000*l.* The Egerton Dock is deeper than was originally intended. The alterations in the Egerton, and the total construction of the Morpeth Dock, have been by money raised under the Acts of 1844-5 for other purposes, and money which, if applied to those other purposes, would have been profitable expenditure for the Dock Commissioners and the bondholders. It will be manifest, and that is a very material matter in the enquiry, from the nature of the Acts of 1844 and 1845, under which the money was borrowed, that the intention of the Legislature was to give the public the advantage of passing into the Great Float as well as the use of the Great Basin, and that none of these conveniences were intended to be afforded. The intention was that the rate should be in the nature of a passing toll, in order that the landowners in the float might put up their own conveniences for trade, and that the trades might have the advantage of going to A, B, or C, according as it might be to the traders' advantage to go to any of those proprietors. It is an injustice, therefore, to those proprietors who contemplated that advantage if the Commissioners should provide out of the funds raised for other purposes the very accommodations that those individuals ought to have provided. The money, if it had been laid out for its original purposes, as far as it went would have facilitated vessels getting into the pool; the Commissioners would derive their profit from the rates on entering the pool, and the vessels would have been customers to the private land-owners providing them with wharfage. As the matter now stands, the trade has the access to the pool and the private land or wharves; but that expenditure having increased the amount of debt, it must be repaid by the trade in the pool; therefore, if a wharfage rate is not given, it must be in the shape of a tonnage rate. The original intention of the Commissioners was to allow the private landowners to supply wharfage, and only to bring vessels to those wharves; the construction of those docks offers wharves to the public; if those wharves are to be used gratuitously by the public, great injustice would be done to private wharf-owners, who must make a charge for their wharves; and therefore any shipping going

Cost of Morpeth Dock.

Accommodation and rates under the first Act.

Injustice to private landowners.

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into the pool must make up the deficiency arising from that expenditure. There are a great number of private landowners along the whole line of the Morpeth Dock. It is very clear that they are in this preferable condition to any within the pool; they have had the whole of these wharves built for their convenience; if a rate is not charged for that expenditure, I think that is a hardship on the landowners in the pool. *J. M. Rendel*, 10 May, 1848. Landowners in Morpeth Docks.

The Railway Company projected their line before the Morpeth Dock was contemplated by the Commissioners. I laid down the extension line. It was projected in 1844, and the Act was obtained in 1845, at the time when the Commissioners were in Parliament for the Act for walling and deepening the Great Float. The Dock Company was also in Parliament for their works. The Railway Company's Act did not give the power to construct a railway on the dock quays; their power terminated at the Corporation-road; but the Railway Company have purchased land on the pool to the westward. The Railway Company's contemplated connexion was with their own station on the land which they had purchased, but when the great low-water basin is carried out, I should recommend the Dock Commissioners to give every facility to the Railway Company to get across their wharf down to the side of the great low-water basin to the steam-packet slip, so to connect the railway with the steam-packet slip, at which the Irish, Scotch, and other steam-boats will have a facility which they cannot have anywhere else in the port, namely, accommodation at any state of any tide, in any weather, alongside the slip, with the railway close to it. The object of the Railway Company was to transfer their station from some point above, so as to make the whole of the land on the town side of Canning-street or Corporation-road a passenger station, and to obtain the sanction of the Dock Commissioners, when those works were carried out, for an extension across from the passenger station to the great low-water landing place which I have described. The Railway Company obtained legislative powers to extend the other branch of the railway across the Corporation-road into land authorised at that time to be purchased as a goods station, but ultimately extending in such a maner as to communicate with the whole of this vast work, authorised in the session in which the Railway Company obtained its Act, so that the object of extending this railway was a very important one, and in the end will be found to be so. The power to take rates on goods along the margin of those two docks will not affect the Railway Company in respect of any one of their original projects. The passage to the northward was to be along the side of the low-water basin, and therefore it would not be affected by the rates relating to the two docks. The connexion with the works generally would be by the Great Float and by their own land; and that is an arrangement which must ultimately be carried out. The Railway Company has acquired land for the connexion with the float at a very great cost. The Act authorising the construction of the railway was obtained before the Morpeth Dock was made, and the arrangement was to make a Railway Company.

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passenger station in connexion with the low-water basin, but to have their goods station on the land to the west, on the pool; power was given by the Act of last year, 1847, to make a branch to the Dock Company's property; and therefore those works, when carried out, would be one great goods station for the railway. The Dock Commissioners have no power by their Act to spend a shilling in making a railway.

Passage of shipping through Woodside Basin.

The passage of shipping into the Morpeth Dock through the Woodside Basin will not interfere with the usefulness of that basin to the coasters for many years to come. The Woodside Basin is sixteen acres, and the river craft for which this basin was especially provided occupy another part. The passage along the north wall is available for coasters, but it is only at high water that vessels can come in there, because it is not like the great low-water basin; and at high water all those vessels are brought with very little obstruction to the side; but I think, ultimately, when the whole of those works are carried out, that the sixteen acre basin should be appropriated to the coasters. The accommodation to be given to the coasters has been examined into by the Admiralty and the conservators of the Mersey. Before proceeding with any of the other works, we ascertained that the Lords of the Admiralty and the Lords Conservators would be satisfied with the sixteen acre basin and the amount of accommodation which the Act of 1844 provided. (*a*) The matter was investigated, and their Lordships were satisfied.

Cross-examined by Mr. Mereweather.

The proposal to levy rates other than tonnage-rates at Birkenhead is new. A different accommodation has been provided, and I think it is but justice to those whose money has been expended, and to others, that a moderate rate should be levied upon goods landed on those wharves. The collection of rates there would be fair to the landowners higher up the pool. The principle I laid down was, that as 60,000*l.* had been expended on those docks which was not contemplated, and which formed no part of the work that the public was led to expect to be furnished with under the Act of 1844 or 1845, that it would be but fair to the public as well as to the bondholders that a description of accommodation so entirely different from the other should be charged for. The

Plan of 1844.

Dock Commissioners would receive the rates. The preamble of the first Act might say that there should be a dock, or sea wall, and all necessary cuts, wharves, and other works; but if you refer to the whole of the case as it was before Parliament in 1844, you will see that the great charge made against us by the opponents—and their name was legion—was, that we made a great expenditure and no wharves; and our answer was this,

(*a*) The correspondence with the Admiralty in August, 1844, in reference to the sufficiency of the Woodside Basin, was put in. The Admiralty had the power, under the first Birkenhead Dock Act (7 and 8 Vict., c 95) of requiring the Commissioners to provide additional accommodation for the coasters at Seacombe in case that at Woodside should be insufficient.

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that we made an expenditure by which other people might profitably make wharves to themselves and the public; that we made the entrance-hall, that other people might build the rooms and receive the rents. The making of the Morpeth Dock permanent is a comparatively recent idea. A dock there was part of my original plan, but it was a very different thing. The original plan which I designed, and which all parties ought to have carried out if they had not been interested, as landowners on the pool, was to have a chain of docks along the south shore; to have had two ship docks and a half-tide basin between them. The whole of this pool was intended for no other purpose at that time than to keep open this great basin. That was what I proposed, but my employers said, "This is too large a thing; we cannot carry it out." Then we came back to this, that it would be desirable in the first instance to come to Parliament for the main feature of the plan, the construction of this great low water basin. The small dock was merely for the coasting traffic for the town of Birkenhead, we looked to future Acts for power to make larger wharfage and dockage accommodation. If we had come to Parliament for the original plan, it was essentially a dock plan, and we should have had dock rates, wharfage rates, and all the other rates, as they have at Liverpool. But we came for a different purpose; we came to make this, as I said before, the entrance-hall to the works that were to be provided by those very landowners and other parties; therefore we merely charged a passage rate. The dock we are speaking of was a part of the original plan, abandoned upon a change of views, or suspended rather than abandoned, and now existing out of monies raised for different purposes. The Dock Commissioners did not mean (under 163rd section of first Act) to charge rates for cranes and weighing machines without supplying the wharfage upon which cranes and weighing machines should be placed. I have already explained that my view was then what it is now, that all those conveniences of cranes and weighing machines must be provided along the wharves on the side of the great low-water basin.

Low-water basin, local dock, and float.

The letter of the 21st of October, 1846 (produced to the witness), from Mr. Milne, refers to the lands of the Crown on which the Morpeth Dock is constructed; it refers to a lease of that land for ten or twelve years. The Commissioners of Woods said in effect, If the Crown consents to the proposal of the Dock Commissioners to grant a lease of the land forming the site of the Morpeth Dock for ten or twelve years, the Dock Commissioners should not for that time charge a rate for any goods landed on the Crown property. The Commissioners of Woods said, You, the Dock Commissioners, are asking us a favour; it must be upon the principle of reciprocity;—and it was on my finding that the property of the Crown would participate in the advantages of the construction of the Morpeth Dock beyond what I thought right, that I was so positive about that exchange of land; and, as I said before, I was very positive about it, because I thought it was but just and right

Negotiations as to Crown land for Morpeth Dock.

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J. M. Rendel, 10 May, 1849.

to the bondholders and the public, that if any benefit was to be derived from that dock, it should be derived by the parties whose money was spent upon it. My opinion is, that if any money is to be paid by the public on account of that dock, it should be applied to those persons whose money was spent in making it; and that whilst that benefit is conferred upon the bondholders, it should be reflected back again to the parties who own property in the pool, upon the principle I have stated. At the date of that letter of 1846 I think the walls of the Morpeth Dock were not built. I think a part of the entrance was done. The entrance was begun some time about the beginning of June.

As to permanent level.

I have not altered the opinions I gave in 1844, and again in 1847. I stated then, and I state now, that whenever the tide of the day is higher than thirteen feet, the rule would be to retain the water in that float at thirteen feet, but that there will be exceptions, and that those exceptions are for purposes that would make it improper to prevent the Commissioners charged with the maintenance of those works from running off the water lower. The exceptions are referable partly to the question of sluicing, so as to keep that low-water basin clear, and partly to the neap tides. If you will refer to the whole of the evidence, you will see that I proposed to preserve a level except upon the exceptions. My present views are the same. I have not altered in the least as to the propriety of leaving those who are to be responsible for the maintenance of that great basin untrammelled as to the application of this water. Your clients would be about the first to cry out against us for impounding the water to thirteen feet when the tide of the day was lower than thirteen feet, because it is plain that in that case, if you wanted to pass even a wherry or river craft in from the river into this enormous float, you would have to lock it up. You may approximate to the number of occasions on which it will be necessary to reduce the level below thirteen feet. We will undertake to put in a clause, to the effect that whenever the tide of the day is less than thirteen feet, the water shall be retained at the level of the tide of the day. You might put in that clause as far as the working of the dock went. With reference, then, to the other points, you will see, by the whole of my evidence in the session of 1844, that it is of the utmost importance to the maintenance of this basin that we should be in a condition to remove on the ebb tide any accumulations that may have entered the basin with the flood tide. To do that, there must be occasions when, from a severe gale of wind from the northward and westward, and a high tide bringing more than the ordinary quantity of sediment and leaving it in this basin, that we should be permitted to run off a larger quantity of water than ordinary. That is a case which might occur twice, thrice, or five times in a month, or not once in a month; it would be unwise, therefore, to bind the Commissioners by a clause that they should not, on occasions of that kind, run down the water to that level to which all the works must be made applicable—namely, high

Sluicing operations.

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water of neap tides; that is the only qualification I want. It is a convenience for shipping, and for the persons who are doing the works upon the wharves, that there should be a permanent level of some kind to which they could direct their operations in loading and unloading; but it is a very rare thing in any dock. I designed those works to get rid of the very difficulty which you are now referring to, and which applies to most docks; to the Liverpool Docks for instance. I proposed that the docks should have their own gates and be independent of the Commissioners in reference to this float, and it is only for the Railway Company to do the same thing. The Railway Company's frontage is upon the great float of Wallasey Pool. The water in that pool is very much higher than the thirteen feet level at particular tides; it will vary in different tides from about as low as nine feet up to twenty-two feet. I think Mr. Hartley gave in his evidence a range of about thirteen feet; the range from high water of the low neap to high water of high spring tides is thirteen feet.

J. M. Rendel, 10 May, 1848.

Variations of level in docks.

There are rails and turn-tables laid down upon the Commissioners' land running down to the Morpeth Dock, but not by the Company. They are all upon the Commissioners' land. I do not understand that they are the Company's rails. I may be wrong. I never had anything to do with those lines of rails. All the land belongs to the Commissioners upon which there is a railroad between Canning-street or the Corporation-road and the Egerton and Morpeth Dock. I do not know that the Railway Company paid the expense of laying down those rails upon that land. I know that the Commissioners paid 4000*l.* for rails and turn-tables upon those quays. The other lines lead to the Company's own land and to the Dock Company's warehouses.

Whatever is charged for rates in that dock will to that extent affect the goods going to Manchester. It will be a charge added to the charge for carriage. It is a new charge, and not a charge contemplated at the time of the extension-line being made, and I think the Railway Company would do well to repay the money that has been spent upon that dock and get rid of the charge altogether.

Cross-examined by Mr. Cooke.

It was the intention of my plan, when brought before Parliament in the first instance, to make the shore available for shipping to a certain extent. Our enemies said it was not. I contemplated the upper pool as available for shipping up to a certain tonnage. I proposed in 1845 to expend 450,000*l.* upon the upper pool, and if your friends will find us the money we will do it now. The Bill of 1844 contained no suggestion as to the improvement of that pool; in the Bill of 1845 it was proposed to carry out the scheme of 1844, by walling the pool and deepening it. I have stated, in my evidence in chief, that the walling and deepening was 450,000*l.*, and that the 150,000*l.* was to provide for the cost of the extra works under the former Act. Mr. Brassey made a tender

Works of 1844 and 1845.

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J. M. Rendel, 10 May, 1848.

for the walling and deepening on the 17th of October, 1846; the Act passed in the session of 1845; the tender was, for the walls, 262,427*l.*; excavations, 201,472*l.* Without the deepening, that pool would not be available for vessels of any considerable size.

Cross-examined by Mr. Lowndes.

In my original plan there was no greater break in the wall at Seacombe than was just sufficient for the ferry slip to pass. The additional accommodation, which by a particular section of that Act of 1844 might be required to be provided for the coasting vessels, was to be provided between Seacombe Ferry and the now existing wall. According to my recollection, we were to be required, if called upon by the Admiralty, to provide additional accommodation for the river craft at the north end of the reserve. I think it was at the north end of the reserve; but that being so material a thing to be decided before the works were began, the Admiralty and the conservators were both applied to, and the letters, the answers to that application, have been put in evidence. I will explain how those letters arose. It would have been culpable on my part to have began those works until the question affecting the construction of the works was settled. Immediately the Act was obtained I put myself in communication with the Admiralty and the conservators to know whether they required any addition to be made at the north; and these letters go to this question entirely, that looking to the enlarged space ordered by Parliament to be made at Woodside, they were satisfied that no additional river craft accommodation would be required. The party who really did oppose us was Mr. Smith, the lord of the manor; but how Mr. Smith was connected with coasters I cannot tell you, because the way in which that opposition came was so mixed and so jumbled together that I cannot separate it; but at Mr. Smith's instance the plan was altered from that which is before the Committee to what you see here, and it was left open instead of being closed. The excess of outlay over my estimate, occasioned in consequence of the opposition of the coasting trade in 1844, with respect to the accommodation, was 48,000*l.*

Accommodation for coasters.

Re-examined by Mr. Webster.

The imposition of rates is fair to the parties whose money has been expended in making the dock. If rates are not granted, the principal advantage of this expenditure will be derived by the adjoining landowners. It was in reference to that I said it was fair to put the landowners all on the same footing. The letter of the Commissioners of Woods of the 21st of October, addressed to Mr. John Laird, had reference to a proposal for an extended lease of the land; that was not carried out. The arrangement carried out was an exchange of land embodied in the Act of last year. I found the expenses so increased by the construction of that dock, that I thought it justice to the bondholders and

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to the public that it should be for ever granted to the public. In the original scheme, as disclosed in my evidence of 1844, it was always intended that the gates in the great dam should be opened at the time of high water. If ships are to enter by those gates the maintenance of a higher tide than the tide of the day is impracticable. Every vessel would have to lock up into the pool from the basin when the tide of the day is lower than in the Great Float. The landowners would not be interested in such a restriction, and I am sure it would be wrong for the Commissioners; besides, it would not be necessary; there would always be water enough in the float, when excavated, to take in the largest class of vessels. *J. M. Rendel*, 10 May, 1848.

An estimate of the value of the land in Wallasey Pool was made previous to the commencement of the works. Mr. Hartley estimated the whole of the 370 acres at 850*l.* an acre, as a first value; then, in consequence of the difference between him and Mr. Cubitt, he revised that value. The original estimate for the Bill of 1844, before the House of Commons, was 400,000*l.* We contracted for the whole works within the estimate. Mr. Tomkinson contracted for the works according to the original plan. I have already said that the Committee in Parliament made large additions to those plans; it was therefore quite impossible that we could hold Mr. Tomkinson to his contract except as to the schedule of prices. It was settled with Mr. Tomkinson, in the original contract with him, that the schedule of prices by which the estimate laid before Parliament was made up should be applicable to the works as altered in Parliament, and a contract was entered into with Mr. Tomkinson to that effect, and we stipulated in that contract that new drawings should be made out in conformity with the plans as altered by Parliament; and that when those drawings were made out he and the Commissioners should each appoint a surveyor to ascertain the quantities, and that the new quantities made up from the altered plans, as redrawn, should be valued at the schedule of the original contract, and that his contract amount should be whatever those quantities gave. Then Mr. Tomkinson found prices increase upon him, and we could not get him to come finally to an arrangement, and under all the circumstances the Commissioners deemed it better to liberate him. But there has been an extraordinary approximation to the original estimate of 1844 in the cost of the works then contemplated. I do not believe there has been an excess of 7000*l.* upon the whole. Value of strand. Additions to plans.

No portion of the expense of the Morpeth Dock was included in the original estimate; it is a recent creation. The Commissioners were aware of the deficiency before the Morpeth Dock was determined upon, and provided for that deficiency in the Act of 1845. I should explain to the Committee that we were so beset with opponents to the Bill of 1844, that the Commissioners deemed it inexpedient to alter the sum of money authorised to be raised as first introduced; but in the Bill of 1[illegible] took power to raise 600,000*l.*, the works for which we came t[illegible] Deficiency of estimate.

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J. M. Rendel, 10 May, 1848.

ment being estimated at only 450,000*l.*, leaving us 150,000*l.*, which would have more than covered all the additional works imposed upon us by Parliament in the year 1844, and for which no funds were provided.

Origin of Morpeth Dock.

The Commissioners of Woods were not, I think, privy to the commencement of the Morpeth Dock. I have explained that we commenced that Morpeth Dock as a temporary passage into Wallasey Pool, through which the tide might ebb and flow. It might have been apparent to those in the private councils of the Commissioners that the money they had lent would not be forthcoming; they therefore became anxious, if they could not open the whole work, to open something, and hence, probably, the origin of the Morpeth Dock; but the Morpeth Dock formed no part of the plan of 1844, for which the estimate was furnished. I am engineer to the Dock Commissioners, but not to the Dock Company. I am a proprietor in the Dock Company. I was engineer for the Dock Company, but the Dock Company was not conducting its affairs in a way that I thought right, and I retired.

Mr. Stephenson's estimate.

Mr. Stephenson's estimate was made by persons employed by him; he had an assistant at Birkenhead taking out from our books all the prices at which we have been doing the works. The calculations and the measurements were made by him. Mr. Stephenson says: "I beg to observe, that throughout this investigation I have in no way been guided by the estimate prepared by Mr. Rendel, as I conceived that it would be more satisfactory that I should not see it until I had arrived at an independent conclusion." I know nothing at all about his proceedings; all the books, papers, and plans were thrown open to him. Mr. Stephenson had the portfolios, the drawings, and the books, and the cost of the works up to the time at which the works stopped, laid open to him, and he had his own assistant at Birkenhead.

Duncan Gibb.

Duncan Gibb, examined by Mr. Webster.

I have been largely engaged in the timber trade and in business at Liverpool. My attention was directed to Birkenhead, as a suitable place for docks, twenty-six years ago. It then appeared to me to be peculiarly suitable for ships under a heavy draught of water. The deep water channel was all on the west side of the river Mersey, and remains so still; it is generally deep water, and without the risk of a Pluckington Bank to ground and strand a ship upon. In the course of my business I have had experience of the injury that merchants may sustain from the existence of Pluckington Bank. I have paid for it to my cost. A valuable ship stranded there which had made a profitable East Indian voyage. I thought the Birkenhead side afforded peculiar advantages for the timber trade; that was my conclusion twenty-six years ago, when I contemplated, and was in treaty for, the purchase of the whole of that estate for that object. That estate afterwards went into the hands of the Corporation of Liverpool. I suggested the subject to Mr. Laird after this, in 1823

Pluckington Bank.

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or 1824, and Mr. Laird bought about sixty acres of the land from Mr. Price, and I then landed a cargo of timber for Mr. Laird in the summer of 1824; that was, I think, the first movement by Mr. Laird after I gave up the scheme. Mr. Laird got Sir John Tobin to join him in the purchase of land from Mr. Price, and the Corporation of Liverpool at that time, on the valuable nature of that property becoming known, treated with Mr. Laird, who sold it to the Corporation; Mr. Laird and Sir John Tobin pocketed a considerable profit. I was brought here in 1844 by the Liverpool Dock Trustees; but they knew that I was all along favourable to the Birkenhead plan, as valuable for the port of Liverpool in general, on account of the timber trade. I have always thought, and still think, that it is of great importance to the trade of that port generally that those works should be carried out. I look upon Birkenhead as only a branch port of Liverpool. My attention has been called particularly to this great low-water basin. The draft of water of our heaviest timber ships is about twenty-two feet when fully loaded; they are frequently detained in the river during the neaps. The timber ships have been increasing in size; from my own calculations, in the last twenty years they have increased from 670 tons to 1300 and 1400 tons. The detention of vessels in the river by reason of insufficient water at the neap tides adds very considerably to the expense and the risk, in a variety of ways that nobody knows anything about but the person paying the insurance; a higher premium is charged when the voyage is delayed so late. If for the second voyage we should have come to the end of July or to August, the underwriters require an additional rate of premium. If the ship is likely to be detained past a given day in proceeding to the St. Lawrence, we are apt to be frozen up there by the ice, and a few days' detention in the river Mersey is a great detriment. The sills of the entrance to the Liverpool Docks are not laid below a certain level. That arises from the prudence of the engineers; they may be too prudent; Mr. Hartley and Mr. Rendel may be influenced by excessive prudence. The detention that occasions so much cost arises in some degree from the fact that the sills are not laid at the Liverpool side below a certain level. I dare say Mr. Hartley and Mr. Rendel will corroborate that account of it.

Duncan Gibb, 10 May, 1849.

Purchase of land by Corporation.

Increased size of timber ships.

Detention in the river.

You observe, Liverpool is unfavourably situated in that respect. The river there is south and north, Liverpool on the east side, Birkenhead on the west and north-west. There is a vast deal of sludge and floating mud on the flood as well as on the ebb tide up and down the river when the wind blows strong from the west. The floating mud goes to the leeward, and collects and rests upon the lee shore, which is the Liverpool side; thence come those mud banks, and the risk of a great deal of mud and sludge getting into the docks. I have always entertained the same favourable opinion of Birkenhead. Twenty-four years ago I landed a cargo there; last year I offered to send three ships, that the Dock Commissioners of Birkenhead might have the dues, provided they had been

Disadvantageous position of Liverpool.

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Duncan Gibb, 10 May, 1848.

in a situation to receive them. The engineer had left outside the sill a freestone rock which had not been blasted away, and there it remains.

Advantages of Birkenhead.

Among the advantages possessed by Birkenhead, the railway communication down to the side of the docks is very important for the timber as well as other trades. The communication from Birkenhead up the river is very convenient; a great deal of timber goes up the river: four-fifths goes to the interior, and one-fifth remains in the river and the environs thereof. The low-water basin would be peculiarly advantageous for the steam trade of the port at a certain draught of water. All the Scotch and Irish boats would have great advantage, because they do not generally draw more than about twelve feet of water; the heavy vessels now in the North American trade are obliged to go out of the Coburg Dock Basin some time during the springs; rather than be detained within that dock during the neaps, they are obliged to take anchorage and lie in the river. Vessels drawing sixteen and seventeen feet of water clear could not safely ground in this basin; and I should object to ground any vessel such as Halifax steamers, or any long-keeled vessel. It would be advantageous for the Scotch and Irish steamers. The American boats sail once a week in the summer, and once a fortnight in the winter. They are now obliged to come out during the springs with their coals, in order to be able to sail at the proper times. I have seen them frequently. They take in the remainder of the cargo and passengers in the river.

Timber and steam trade.

Cross-examined by Mr. Venables.

I wish Birkenhead to be a branch port of Liverpool. The benefit of Liverpool is the benefit of Birkenhead, and the benefit of Birkenhead is the benefit of Liverpool. Both being in the Mersey, they are substantially one port. That is my wish, and I believe it will be so.

Cross-examined by Mr. Mereweather.

Permanent level.

I attach importance to a permanent level being preserved in the Great Float. Ships that draw nineteen to twenty-two feet of water might be lightened down to seventeen or eighteen feet, but they must have a permanent level, to know what to lighten down to.

Cross-examined by Mr. Cooke.

The upper pool must be deepened very considerably to afford the accommodation which is desirable for the trade. The upper part of it must have five, six, or seven feet of water, sufficient to float timber; but floats might be made the length and width of the locks of the canal at Runcorn for three or four pairs of logs, and that would take three or four feet of water to float. They may go on deepening. Our large vessels cannot be sent into that upper pool until that deepening has been carried out to a great extent. The damming up of the water in the upper pool is essential. My own plan (more than twenty-two years ago)

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was at first, if it had been our private property, to have dammed up the water at a small cost, and made it available for our timber trade; and that was what I expected Mr. Laird and his friends would have carried out. The Government would have too good a bargain in the proposed advance of 150,000*l.* It would be ruinous to the Baron Goldsmid and Mr. Bailey, and to the bondholders generally. I pointed out that the quantity of land, at the price named by Mr. Rendel and Mr. Stewart and the others, namely, 320,000*l.*, is not more than 5*s.* the square yard, which is an ample compensation for the 150,000*l.* I would restrain the Consolidated Fund from paying a shilling of my taxes towards that amount. The public would not derive any benefit from the outer works being completed unless those inner works are also completed. I am afraid the Government would keep it all to themselves. The completion of the upper pool is a main source from which the bondholders may hope to derive revenue. The completion of the scheme by the Government is a very silly arrangement indeed for the bondholders.

Duncan Gibb, 10 May, 1848.

Value of reclaimed land.

Re-examined by Mr. Webster.

I think the Crown will get too good a bargain, and if I were the Baron Goldsmid and Mr. Bailey I would take a very different course. The penning up of the water, so as to make it available for the timber trade, would be a great service to the port, even if that only is done. If the twelve acres at the lower part of that upper pool were deepened it would afford great convenience for vessels. I was not aware that the estimates of Mr. Stephenson and Mr. Rendel were founded upon the view that twelve acres of that pool are to be so deepened. I think that Government will have too good a bargain of it; it is a silly plan on the part of the bondholders to have anything to do with Government. I have vessels of my own drawing twenty-two feet of water; the deepening of the twelve acres of the lower part of this pool, so as at all times of the tide to give accommodation to these vessels, would be a great benefit; the same accommodation cannot be given at Liverpool; I am aware that there is a Liverpool Bill before Parliament; but with every respect to Mr. Hartley and Mr. Rendel, the engineers, I am afraid they are too prudent, and that they will lay their sills too high.

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Thursday, 11th May, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

J. M. Rendel, 11 May, 1848.

James Meadows Rendel, further examined.

In front of the entrance to the Morpeth Dock there is a bar of rock, as spoken to by Mr. Gibb yesterday. The Commissioners were in such haste to get the Morpeth and Egerton Docks open by the early part of April (1847), that there were not the requisite number of low tides to excavate the rock. I did not feel that we were justified in going to any very extravagant means for its removal, seeing that we had only a right to use that entrance for three years. The removal of that bar is estimated for.

Outer works must be first executed.

By the Committee.—I did not entertain the opinion that if the second Act was not to be carried out, the sooner the works of the first Act were stopped the better. I believe that the carrying out of the works of the first Act will ensure the carrying out of the works of the second. According to my view, the ultimate completion of the upper pool is essential to the value of the outer works. The outer works must be carried out before the money can be raised for the inner works, for no persons would lend money for carrying out the works under the second Act, which works could not be made profitable unless the outer works were carried out. I think, therefore, that until there is that reasonable guarantee, which these Acts will give, that the outer works will be carried out, there is no chance of getting money to carry out the inner works. The Birkenhead Dock Company have paid for land on the south shore of Wallasey Pool nearly half a million of money; that is, for land only. Is it reasonable to suppose that the members of that Company, some of whom have subscribed 70,000*l.* and 90,000*l.* towards this undertaking, will not, if these outer works are carried out, struggle to get that done which alone can make their larger outlay upon land profitable? because it will be manifest that little probability exists that the Birkenhead Dock Company, who have bought 100 acres of land at a cost of 500,000*l.*, can make that land profitable unless a further expenditure is put upon it for works. Until there is a reasonable guarantee to offer that the outer works will be carried into execution, I think no person will lend money for the inner works. The estimate of Mr. Stewart is not (according to the instructions) based upon the supposition that the inner works are completed. According to my understanding, the Crown obtains a security for the proposed advance even though the inner works be not completed. The works inside the dam, so far as they have to be performed by the Commissioners, that is, at the public expense, are not heavy; a great part of the expense of the works to which reference is

Security for advances on Crown property.

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now being made is for the walls, which are to be paid for by the proprietors of the land adjoining, who, looking at the price at which land has been selling for on the margin of the pool, will be too glad to build those walls when the Commissioners are in a condition to raise the requisite funds for the excavations. I think that as soon as the requisite funds have been raised for the outer works, the gradual prosecution of all the rest will follow as a matter of course, always assuming that the trade of Liverpool is to go on increasing as it has increased. The security is a good security for the Crown irrespective of the contingent completion of the inner works. In the discussions which have taken place as to advancing the money, the frontagers have based nearly all their opposition on the uncertainty of the completion of the outer works. The Commissioners had been spending money upon works in which the frontagers were not interested, and had exhausted their funds upon those works.

J. M. Rendel, 11 May, 1848.

Opposition of frontagers.

Joseph Maynard, examined by Mr. Goldsmid.

J. Maynard.

I have been acting for some time as solicitor to a large majority of the bondholders who advanced money under the Birkenhead Dock Acts. A meeting of those bondholders was convened by a circular in November last. The meeting was held in pursuance of that circular on the 23rd of November; nineteen attended in person. The amount of bonds held by those who attended in person was 233,800*l.*, and by proxy 113,150*l.*, making a total of 346,950*l.* At that meeting the proposed arrangement with the Crown was stated to the bondholders. A printed copy of the heads of the proposed arrangement had been enclosed in the circular. The resolution come to on that subject was, "That, subject to the suggested alterations as to the constitution of the Dock Trust, this meeting approves of the proposed arrangement with the Commissioners of her Majesty's Woods and Forests." That was unanimous; a statement of the proceedings of the meeting was afterwards forwarded to every bondholder, whether present or absent, with a circular which I have here, containing the names of all who were present, with the resolutions come to at that meeting. I subsequently communicated with the agents of three who held together 34,000*l.* The total number of assents is 380,950*l.* out of 420,000*l.* With respect to the rest of the bondholders I have had no dissent, not even from the present petitioner, Mr. William Stewart, until his petition was presented. The petition in question was the first intimation of dissent I had on the part of any one; he is the only one that has dissented that I am aware of. The greater part of those who made no communication had already signed authorities to the three gentlemen named as the committee to represent them, and most of them seemed to have considered that authority to involve a general authority to act, though we did not so treat it.

Assent of bondholders to arrangements with the Crown.

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J. Maynard,
11 May, 1848.

Cross-examined by Mr. Cooke.

At the time when those three gentlemen were appointed to act on the part of the bondholders the arrangements in the present Bills before Parliament were not in contemplation. The amount of property which they represented was 394,550*l.* Nothing was said at the meeting about abandoning the inner works. Mr. Rendel was there, and gave all the requisite explanations. The arrangement with the Crown applies only to the outer works; there is no intention to abandon the inner works. So far as I know, or have any reason to believe, Mr. Stewart is the only bondholder who has objected. I am not aware of any other difficulties except pecuniary to the completion of these works. There is an indisposition on the part of the bondholders that I more immediately represent to increase their stake in this concern; it is already very large, but they are very anxious to have the assistance that is now proposed, to enable them to get the works completed. It is not the interference of the Crown in the works that deters parties from coming forward, so far as I am aware. On the contrary, as far as I understand, the interference of the Crown is sought for and solicited. My opinion has always been, certainly, that the best thing for carrying out this undertaking was, that the Crown should have a certain supervision. I have never heard the bondholders complain of any difficulties or of any embarrassments thrown in their way, or of any body, having any interest in that question, making any complaint; I have heard it suggested by those having no interest in it. My opinion is, that the arrangement is beneficial to the bondholders, and that that is their unanimous opinion, with the exception of Mr. Stewart; and I know of no other means of benefiting themselves and getting the works completed. If they are not completed, of course, the money is all gone.

Mr. Talbot was heard to address the Committee on behalf of the Bondholders and Trustees of the Liverpool Docks.

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J. Bramley Moore, examined by Mr. Venables.

J. B. Moore, 11 May, 1848.

Previous to 1841 the dock estate was entitled to rates for all vessels that entered the river, whether they came into the docks or not; in 1841 vessels and goods that did not use the docks were exempted from dock rates (*b*). I was present in 1844, during the progress of the Birkenhead Dock Bill. It was represented to Parliament as a scheme for competing docks. Amongst other topics, it was urged that the competition would keep down the tonnage rates on goods, on the Liverpool side of the river. It was then used as a strong argument for the Birkenhead scheme, that they would have no rate on goods. It was represented that the only way in which it would interfere with the interest of the Liverpool Dock estate, would be enforcing, by competition, the keeping down of the rates. No attempt was made at that time to alter our rates in any way. The question was not mentioned. The question of giving the Birkenhead docks any privileges which other docks in the Mersey had not, was not even mooted (*c*).

Exemption from rates of vessels not using the Liverpool docks.

Competing docks at Birkenhead.

The rates are applied, first, to pay the interest on the debt; then to keep up the docks, and then to reduce our rates. The rates have been lowered successively in 1836, 1845, and 1847, making an amount saved to the public since 1836 of 1,400,000*l.* in reductions, and in addition to that a further reduction is now going on at the rate of 40,000*l.* a year more. Should the present attempt be successful, the rates on vessels trading foreign would be affected both inward and outward, and the rates on goods; we charge no rates whatever on goods brought by coasting vessels; we charge neither tonnage rate nor goods rate when lighters come with goods. I have a return of the amount of revenue that would be so affected. The effect on a vessel of 700 tons going into Birkenhead would be thus: she would pay there at 1*s.* 1½*d.* per ton, 39*l.* 7*s.* 6*d.*; she might then come over to Liverpool, remain there for four months and load outwards on paying 2¼*d.* per ton, which would amount to 6*l.* 11*s.* 3*d.*, this would leave 32*l.* 16*s.* 3*d.* in favour of Birkenhead, to appropriate between the ship and themselves to carry on this mode of operation. That is, on tonnage only. The receipts of the dock estate for tonnage amounted to 10,850*l.* in July, 1847, after our last reduction; and assuming that the whole of that tonnage went into the Birkenhead Docks, and afterwards passed into the Liverpool Docks, to load out-

Application and reduction of rates.

Effect of home port clause on Liverpool rates.

(*b*) In 1840 the Herculaneum and Harrington Dock Company's Act, promoted by private individuals as competing docks, and independent of the Liverpool Dock Trustees, received the sanction of the Legislature. By these Acts all vessels using the Herculaneum or Harrington Docks, and not using any of the docks of the Liverpool Dock Trustees, were exempted from the payment of rates to the Liverpool Dock Trustees, except a certain sum, assigned at one-twentieth of the rates formerly taken, in respect of the maintenance of lights, buoys, telegraphs, and other port charges from which the vessels derived a benefit. By the Albert Dock Act, which passed in 1841, the same exemption was extended to all vessels not using the docks of the Liverpool Dock Trustees.—See Introduction to "Port and Docks of Birkenhead," and *post*, 89.

(*c*) The original Bill, as deposited and brought before the Committee, contained a clause respecting the town dues, but it was withdrawn as a matter of policy for the time.

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J. B. Moore, 11 May, 1848.

wards, paying 2¼*d.*, we should receive 2,888*l.*, leaving a loss to Liverpool per month of 7,963*l.*; in the mean time our docks and quays would be used for four months for this small amount, and as goods coastwise pay no rates, there would be an additional loss of 9,479*l.*; it would then make a total loss to us of 209,000*l.* per annum, assuming the whole of the tonnage to pass first through Birkenhead. According to the revenue of last year, supposing the whole of that sum lost, the surplus would be 38,131*l.* to pay the interest on the debt, and the management and maintenance of the docks. The interest on the debt is 110,000*l.* Allowing nothing, therefore, for the management of the docks, there would be 75,000*l.* deficiency for interest to the bondholders. We should have no way of replacing that but by increasing the tax on the commerce of the Mersey, and the more we increased the rates, unless a corresponding increase took place on the other side, the worse it would operate for us. The operation, then, of this would be, that vessels might pass to Birkenhead, unload, and then come into our docks, and lie there. A vessel might take in a colourable cargo of goods, a few bales to Birkenhead, to prevent her coming in ballast, and so avoid our export rates also. The rates on goods would be avoided by sending them over in lighters from Birkenhead to Liverpool. It was not a correct statement made by Captain Hookey, that it would not answer to send the goods over by lighters in that way, although the payment of all rates was avoided; there would be a great saving. I have had the advantage of consulting the owner of a flat, whom I met here accidentally, as to the cost of that operation, and it appears that, supposing a vessel of 700 tons to have 1600 bales of cotton on board, the tonnage due on the cotton would amount to 30*l.*; the lighterage on that he estimates at more than they would undertake to do it for, and it would amount, eight lighters at 20*s.*, to 8*l.*; that would leave a loss to the dock estate, and in favour of the owner of the cotton, of 22*l.* The owner of the flat says, that he would let his flat for 75*l.* per annum. Now the flat requires a captain and a man, that would be about 10*s.* a day for each flat; therefore there would be an inducement to the consignee of a cargo of cotton to take it over in that manner. There can be no legitimate trade, independently of making use of our docks to assist the Birkenhead Docks, between the two ports, from the Cheshire side of the Mersey to the Liverpool side. There was one vessel in the course of last year that went from Chester to Liverpool, that came from a foreign port, and only one. The sea risks and the other charges which have been spoken of, are a very great security. The fact that it is not now practised is a sufficient answer that the security is sufficient.

Saving on Cargo.

My opinion as to the probability of the accomplishment of the works at Birkenhead, as laid out in that model, will be received with great suspicion; but I think, knowing as I do all the intricacies of the question, that they will never be accomplished.

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Cross-examined by Mr. Webster.

J. B. Moore, 11 May, 1848.

I have always been of opinion, that the attempt to establish docks at Birkenhead, to compete with Liverpool, would not be successful if they stood on their own bottom. I do not anticipate that the whole of the trade of Liverpool is to be transferred to Birkenhead, nor did I say anything of the sort. I say, assuming that such a clause was in operation, and that our tonnage went through the Birkenhead Docks, then that would be the effect of it. And I said you may assume any portion of it you please to go there. The statements made were grounded on the supposition that the dues upon the whole, or almost the whole of the foreign trade, would be evaded by going to Birkenhead. A coaster pays nothing outwards, she only pays 2¼*d.* on coming inwards, and she may load to any part of the world. The goods pay, but not the vessel. If a vessel went into Birkenhead, and then came over to Liverpool and loaded out to a foreign port, we should have the foreign rate on the goods, but not on the tonnage. The tonnage rate from the ports in Ireland and Scotland is 3¾*d.* The lowest rate is 2½*d.* from the west coast of England, from the east coast of Ireland 3½*d.*, and from the east and south coast of Great Britain it is 5¼*d.*

Purchase of Harrington Docks by Dock Trustees.

The same privilege of exemption from dock dues was extended to the Harrington and the Herculaneum Docks in 1840. The Dock Trustees of Liverpool bought the Harrington Dock for dock purposes. The price was a guinea and a half a yard. Somewhere about from 210,000*l.* to 220,000*l.* I forget the exact number of yards. That has now become part of the dock estate at Liverpool, and all exemptions which were obtained are extinguished. The Herculaneum Dock is the property of the Birkenhead Dock Company, and not of the Commissioners—a private company. The dock estate of Liverpool is a public trust, and individuals have no benefit from it at all; there is not even a paid chairman.

Evasion of rates by home-port clause.

We have the power to remove empty ships from one dock to another, so as to prevent their encumbering the docks; because, in a dock very actively employed, like the Prince's Dock, a power is necessary to remove empty ships to a more convenient place, so as not to inconvenience or embarrass vessels waiting to load outwards. A vessel might go into Birkenhead and bring in a cargo; she might land that cargo, and pass it over to Liverpool without any charge on the goods. Then the vessel itself might come and use the Liverpool Docks for a period of four months at the rate of 2¼*d.*, which would lead to the result that I have just read to the Committee. She would pay nothing else. I did not call it a colourable cargo—I confine myself to the fact—I do not know whether anything like fraud might be obviated by a clause; my legal advisers say that it would be exceedingly difficult, and next to impossible. We have not had any experience as yet of Birkenhead further than meeting here. A few vessels have gone there—foreign vessels; I

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J. B. Moore, 11 May, 1848.

believe they go there to load salt, and for the convenience of having their crews on board, and having fires for cooking, which we do not allow in Liverpool. We have recently reduced our dues to the extent of 40,000*l.* on salt, cotton, iron, and on coal. The reasonableness of such a reduction will be self-evident, when I state that the dues on iron were heavier than on cotton, which would cost eight, or nine, or ten times the amount. Birkenhead has no peculiar advantages for the export of iron, coal, and slate, that I can discover. It would be rather nearer to the salt-works, but for loading goods, not so near to any manufacturing town as Liverpool, and you cannot load vessels with salt and iron to every part of the world.

Re-examined by Mr. Venables.

I did not mean to assume that the trade and real business would go over to Birkenhead, in assuming that we might lose the rates by ships calling and unloading at Birkenhead. I gave the operation and the result of the powers now sought in the Birkenhead Bill if it passes. They might avail themselves of it, and that would be the result; therefore you may take it as a half or a quarter, or whatever you please, but I give you the result of the whole. The real business would still be transacted at Liverpool, we should furnish dock room, and the cargoes would be got there. I look upon it as impossible to load a vessel with a general cargo from Birkenhead, and for the reasons I gave in 1844 upon that Bill. A steamer comes from Scotland with goods on board for every part of the world; you could not send that steamer to Birkenhead and unload her to get rid of the cargo for all the vessels that are then loading. When she arrives she will have fifty consignees, and I believe I am within the mark; the goods are carted away from the Clarence Dock for the vessels loading for every part of the world; that would be an impossibility at Birkenhead. And then again, goods from Manchester and Yorkshire do not come in lumps to load a vessel, but they come in driblets day by day, in twenty, thirty, forty, fifty, or a hundred packages at a time, and you cannot send your packages day by day to a vessel loading there, from the chance of being shut out. There would be no succession of vessels to take the overplus, and they must go to Liverpool and avail themselves of the 2¼*d.* rate to load outwards.

Inconveniences of Birkenhead.

Town dues.

A vessel from Birkenhead to Liverpool has at present to pay the Liverpool dues, not the light dues over again, only the tonnage dues. I have seen the preamble of the Birkenhead Bill; it contains the words "Town dues." That is left out here for a future day, when they succeed with this. It would be exceedingly difficult with docks in the immediate neighbourhood of the Liverpool Docks to frame a clause that cannot be evaded. I hear the matter very often discussed and talked over, and my legal advisers say that it would be impossible to frame a clause to meet the difficulty. If a vessel discharges a part of her cargo at Liverpool and then goes over to Birkenhead to discharge the remaining

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part, she pays the dock dues at Liverpool on the whole. If a vessel goes to Birkenhead and discharges there three-fourths of her cargo, and then comes to Liverpool and then discharges the other fourth, I think she pays on the whole. If it was from another port, she pays on the portion only she takes to Liverpool, but the whole tonnage dues on the vessel. Another witness will speak to this more correctly. *J. B. Moore*, 11 May, 1848

William Marrow, examined by Mr. Burke. *W. Marrow.*

I am collector of the Liverpool Tonnage Rates. I have made an extract from the books of the Dock Trustees, showing the tonnage entering the port from the 24th of June to the 25th of July, 1847. It is divided into the separate classes in which the tonnage rates of Liverpool are levied. I have made a calculation showing what would have been received by the Trustees in case the whole of these vessels had paid the tonnage rates as though they came from the nearest home port. I have also a statement of the goods received at Liverpool from the 24th of June to the 25th of July, 1847. The Liverpool Dock Trustees levy the rates upon goods only in respect of the cargo landed in the docks at Liverpool; that is the existing practice. Amount of tonnage rates at Liverpool.

LIVERPOOL DOCKS.

Tonnage entering the Port, from 24th of June to 25th of July, 1847, arranged under the different classes of voyages.

			s.	d.		£	s.	d.
Class 1	60,501 tons at	.....	0	2¼	per ton	567	3	11
„ 2	95,963 „	.....	0	3¾	„	1,499	8	5
„ 3	12,654 „	.....	0	5¼	„	276	16	1
„ 4	3,596 „	.....	0	9	„	134	17	0
„ 5	7,304 „	.....	1	0	„	365	4	0
„ 6	128,140 „	.....	1	3	„	8,008	15	0
	308,158 tons.					£10,852	4	5

If the above tonnage had gone into the Birkenhead Docks first, and then gone from Birkenhead Docks to the Liverpool Docks, and been charged as from the nearest coasting port, the rate would have been 2¼*d.* per ton on 308,158 tons for one month	2,888	19	7
Leaving a loss to the Liverpool Dock estate for one month of	7,963	4	10

Dock Duties on Goods received at Liverpool from the 24th of June to the 25th of July, 1847.

	£	s.	d.
Goods inwards	8,044	19	9
Goods outwards	1,434	14	9
Total loss to the Liverpool Dock estate on goods for one month	£9,479	14	6

If a vessel loaded with cotton comes into Liverpool and enters at the Custom House at Liverpool, we only collect the duty on the cargo landed there or in the stream of the river; we charge tonnage dues on the vessels according to the registered tonnage of the vessel.

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W. Marrow, 11 May, 1848.

Cross-examined by Mr. Goldsmid.

Birkenhead has hitherto been considered within the port of Liverpool. I have had experience in reference to a home port not within the port of Liverpool, say Chester or Dublin, of vessels touching at those ports and depositing part of their cargoes there and then coming to Liverpool. That would be precisely a parallel case with Birkenhead in the event of this Bill passing. We charge the dock rates on the cargo discharged in Liverpool. A vessel having touched at Birkenhead after the passing of this Bill would have completed her voyage, and supposing her to come over to Liverpool she would be admitted there at the rate of 2½*d.*, if she had discharged all her cargo at Birkenhead. She would have paid the light dues on entering the port previously to that. A vessel now coming over, having left a part of her cargo at Birkenhead, would pay the foreign tonnage rate on the whole, but dock rates only on the cargo brought over. If Birkenhead were the point of destination mentioned in the charter-party, and the vessel were to touch there, and then come over to Liverpool, I do not conceive that she would have completed her voyage there so as to be entitled thereafter to come over from Birkenhead to Liverpool as a coasting vessel.

Dues on portions of cargo.

Friday, 12th May, 1848.

12 May, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Mr. Venables applied to the Committee for leave to ask Mr. John Stewart some questions as to the data upon which his report was founded, as preliminary to showing that the assumptions upon which his estimate was made would not be borne out.

Mr. Webster objected that the Liverpool Dock Trustees had nothing to do with the value of the reclaimed land; that they were not landowners, and that their opposition had been confined to the Home Port clause; also, that the objection to which the evidence was proposed to be directed was not within their petition.

The Committee intimated that the opposition of the Liverpool Dock Trustees must be confined to the Home Port clause, but that the Committee would wish to have Mr. Stewart before them, irrespective of such opposition.

Mr. Cooke stated that he should call Mr. Stewart as a witness before the Committee in support of the bondholder's petition.

Opposition of Railway company.

Mr. Mereweather was heard in support of the opposition of the Birkenhead, Lancashire, and Cheshire Junction Railway Company.

Petition.

The petition alleged that the Railway Company had expended large sums of money after the passing of the Birkenhead Dock Acts, in reliance

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upon such Acts containing no authority to lay rates, and upon the representations that no rates could be charged on goods loaded or unloaded; and that the property of the Company would be depreciated if powers were granted for rating goods.

John Laird, examined by Mr. Mereweather.

John Laird, 12 May, 1848.

I reside at Birkenhead. I recollect the scheme of the Birkenhead Docks being first brought out in 1843. The Birkenhead Commissioners, in whose name the Act was brought forward, required that there should be a guarantee for the expenses; they required about 2000*l.*; and towards that fund of 2000*l.* to carry the Bill through Parliament I subscribed. This is a copy of the deposited plan. The first plan had the words "Permanent level" marked upon it, and the level marked thereon was that at which the water would be permanently maintained, and the sections show the same thing. I was a director of the railroad in 1844. The Bill for the Cheshire Junction Railway was not applied for till 1845. It was part of the original scheme that no rates should be charged. The Bill was supported through Parliament voluntarily by Manchester and all the manufacturing districts. The Chamber of Commerce at Manchester petitioned in favour of the Bill and of the scheme. The inducement held out was cheap dock accommodation.

Birkenhead schemes, 1844.

I have here a copy of the original report made to the Commissioners by Mr. Rendel, in which this is stated: "The requisite scouring is proposed to be effected by a daily discharge of water equal to the difference of the level of the tide of the day, and that at which it is to be permanently retained in the dock, and from which I think thirteen feet on the Liverpool datum would be most suitable. The discharge to be during low water, by means of adequate sluices, through the dam, laid at the proper level for acting with the best effect." That refers to the thirteen feet level. The following resolution was passed by the Dock Commissioners at a meeting on the 27th of November, 1846: "That Mr. Rendel be informed that the Commissioners consider themselves bound to adhere as near as practicable to the plans deposited, which define the permanent level to be maintained in the Great Float at 13 feet 6 inches on the old dock sill; and that it is desirable, in order to keep faith with the Crown and the frontagers, and to obtain their assistance in carrying out the works as a whole, to have a clause, fixing the permanent level at thirteen feet on the old dock sill, inserted in the Bill for the construction of graving docks, &c., now before Parliament." After that resolution was passed by the Commissioners, on the 27th of November, I came to London the same evening, and met Mr. Rendel and Mr. Mallaby, who was then law clerk to the Commissioners. Next morning we discussed it, and some other clauses in the Bill, and we went to the Admiralty with the following clause: "And be it enacted, that it shall not be lawful for the said Commissioners to run off or reduce the level of the water,

Permanent level.

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John Laird, 12 May, 1848.

to be impounded between Warrington's Bridge and the intended embankment in the first recited Act mentioned, to a lower level than thirteen feet above the sill of the old dock at Liverpool, except for the purpose of making necessary repairs, or unless the Commissioners for executing the office of Lord High Admiral of the United Kingdom shall in cases of emergency otherwise direct, upon the application of the Birkenhead Dock Commissioners, stating such emergency." That clause was printed in the Bill. In January or February a report was made by Captain Evans, and that clause was withdrawn in consequence of his report. The clause was discussed with Mr. Rendel. He objected to put in a clause fixing the permanent level at thirteen feet without the intervention of one of the public Boards. The Railway Company have purchased land to the extent of about 80,000*l.* I negotiated the purchases, and I should not have advised the Railway Company to make any purchase if it had not been upon the expectation of a permanent level; I should consider their station virtually useless without it; I agree with Mr. Duncan Gibb in thinking that persons would not send their ships there without the certainty of a permanent level being maintained. I have spoken to various shipowners, and they all agree that no man would send a vessel there with that uncertainty.

Morpeth Dock.

I know the history of the Morpeth Dock. There was no intention, last year when we were in Parliament, for legalizing that dock to have rates upon goods. The first proposition to convert this site into a dock was in 1845, and the Commissioners applied to Parliament for an Act for that purpose. In consequence of not being able to come to terms with the Commissioners of Woods for a free grant, it was decided to use the site as a temporary passage; but as the works went on, it was thought desirable, in order to get the docks partially opened sooner than the great basin, to apply again to the Commissioners of Woods, and endeavour to get, if not a free grant, a long lease of the site. Mr. Rendel in August, 1846, advised the Commissioners, if they could get a lease of the site for ten or twelve years, that they would be justified in going to the expense of the extra excavations and walling necessary to make it into a permanent dock. Negotiations were entered into for an extended lease of ten or twelve years.

No rates on goods.

Up to the time of introducing this Bill there had been no proposition from the Commissioners or any one else to charge rates in this dock. The statements of the Commissioners that there were to be no rates upon goods, are public and well known; they were generally advertised. The expenditure up to this time on the railway (the Extension Line) is about 300,000*l.*, including the station land. Here is the resolution of the 2nd of February, 1847, of the Dock Commissioners, urging the Railway Company to proceed with the extension railway to the docks, so that when the docks were open, there might be a direct communication to all parts of the kingdom from the dock side.

There would be no trade in the float unless a permanent level is main-

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tained; if the level is not maintained, the trade would be forced into the dock which would be rated. Low charges and great facilities give the only chance of competition with Liverpool to the manufacturing districts. The Railway Company would never have carried their extension line, or have thought it worth going to Manchester at all, if the float had not been intended to be made a dock. If the level is not maintained, the facilities given by the railway will be worthless, after spending a large sum of money. The Railway Company would be satisfied if that level were maintained, and there were no rates upon goods in the docks. *John Laird*, 12 May, 1848.

Cross-examined by Mr. Webster.

The Crown land on the south margin of the Morpeth Dock was granted last year to the Commissioners in exchange for other lands. The north margin was Crown land, except what was given up for the works under the first Act. Captain Evans' plan shows the Morpeth Dock; that plan has been circulated very widely; the names of the landowners are not quite correct. I hold 3000 yards opposite the Morpeth Dock. Mr. Potter and Mr. William Laird were also owners of land upon the margin of the Morpeth Dock; they were both Birkenhead Commissioners some time ago. I was Chairman of the Dock Commissioners from May, 1844, to May, 1847. During the progress of the Bills of 1847, a change took place, and I ceased to be Chairman of the Commissioners. I was a Director and Deputy-Chairman of the Dock Company, and of the Cheshire Junction Railway Company, afterwards amalgamated with the Chester and Birkenhead Railway Company.

I became aware subsequently that other plans and sections than those produced were deposited. It was required, in passing through Parliament, that in consequence of alterations made in the outer works, there should be fresh plans deposited, but those alterations did not affect the upper pool. I was not aware, as Chairman of the Dock Trust, that the amended plan left out the words "permanent level at which the water is to be retained." I cannot see any reason why the words should have been left out. By the Act of 1844, the Commissioners were restricted from penning up the water of Wallasey Pool beyond fifteen or sixteen feet on the old dock sill. Permanent level.

Under the Act of 1844, twelve acres were to be excavated within the dam to the depth of eight or nine feet below the old dock sill at Liverpool. The plans will show that. I think the excavations were to be six feet, with a permanent level of thirteen feet, and with nineteen feet water within the dam. It is still part of the plan to excavate the twelve acres. I have referred to a resolution of the Dock Commissioners of the 27th of November, 1846. I was present last year when this matter was inquired into by a Committee of the House of Lords. I understood Mr. Rendel to assent to the clause which the Commissioners had inserted in the Bill with the qualification of a reference to a public Board. I was not examined last year. A clause was inserted in the Bill; I have

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John Laird, 12 May, 1848.

the print of this Bill here. I do not know whether that clause was in the Bill as submitted to the Committee; clauses came down day by day in manuscript, and it is quite impossible for me to remember. I was present as Chairman of the Dock Commissioners, promoting the Bill. I was sent up by the body of Commissioners to endeavour to carry this Bill through. I was told by Mr. Pemberton, that if we did not put in certain clauses, the Bill would not be approved. I was the only Commissioner present. I could not get other parties up, and I was obliged to get the Bill through as well as I could. A clause, not the same as the original clause, but subject to the approval and decision of the Conservator, was submitted to the Committee of the House of Lords, and rejected. That clause was promoted by the Dock Company, and, I believe, by every frontager on the north side of the pool, except the Corporation of Liverpool. It was proposed on the petition of the land-owners on the pool.

Land of Railway Company.

The land purchased by the Railway Company for 80,000*l.* consists of about 19,000 or 20,000 square yards. It cost about 4*l.* a square yard. The first purchases made from the Corporation of Liverpool, in 1843, were at 10*s.* a square yard. The first purchase by the Railway Company was made about August, 1846, and the last within a month of that time. The Extension Act was obtained in 1845. Out of 300,000*l.*, the cost of the Extension Railway from Grange-lane to Bridge End, about 40,000*l.* is for works, and the rest for land. The rails on the Dock Commissioners' quays were laid by my direction as Chairman of the Dock Commissioners. The variation of level in the Morpeth Dock from the high water of ordinary spring tides to the high water of low neap tides, if the gates are open, would be about ten feet. The total cost of the Morpeth Dock up to the 2nd of February, 1847, was 20,920*l*; and I believe the rails round the Morpeth Dock and the Egerton Dock are to be about 4000*l.* I do not know what has been the expenditure since.

Correspondence with Commissioners of Woods.

I have a letter of the 21st of August, to Lord Morpeth, as Chief Commissioner of Woods, inclosing one from Mr. Rendel; also a letter of the 21st of October, from Mr. Milne to me, as Chairman of the Dock Commissioners. The former letter states that the Dock Commissioners have decided to adopt Mr. Rendel's plan, and go to the additional cost stated in his letter, provided the Crown will grant the free use of their land occupied for the purpose for an extended period of ten or twelve years. Mr. Rendel, in his letter to which I referred, addressed to the Commissioners, says: "As directed by the Committee, I have estimated the probable cost of walling and wharfing the sides of the temporary cut or passage now excavating, to enable vessels to pass to and from the Bridge End Dock, so as to make it available to shipping, pending the construction of the intended permanent entrance through the great low-water basin. The cost will be from 7000*l.* to 8000*l.* additional to the excavations, which will cost from 5000*l.* to 6000*l.*" Mr. Rendel recommended the Commissioners not to go to that extra expense, unless the

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Crown gave a lease of ten or twelve years. The Commissioners of Woods declined, on the 4th of September, to accede to that request, because it would throw the whole of the expense of the additional works at the Morpeth Dock upon the Crown. There was a reference to Mr. Rennie, and Lord Morpeth came down and inspected the works. On the 21st of October the Commissioners of Woods offered to grant a lease, but on the 30th of October further arrangements were come to, and the Commissioners of Woods then agreed to grant an exchange of land. This is the letter of the 30th of October. The arrangement for a lease was not carried out, but an exchange of land was adopted instead; the Crown gave up as many square yards as it took back from the Commissioners. I was present at the meeting with Mr. Pemberton, in February, 1847; the Board of Woods imposed certain conditions upon the Dock Commissioners. One of them was as to bringing back the money raised. I recommended the Dock Company to raise 20,000*l.*, the cost of the dock, rather than that the docks should not be opened for trade. *John Laird*, 12 May, 1848.

By the Committee.]—The Commissioners of Woods were privy to the construction of the Morpeth Dock; they required us forthwith to wall and convert it into a dock on condition that they gave us the land. If we could have supposed such requirements would have been exacted, I for one never would have recommended the Commissioners to go to Parliament at all. I have put in the documents, which speak for themselves. (*d*) I put in a paper showing that they, the Commissioners of Woods, required the dock to be walled, and that an Act of Parliament should be obtained to legalise it. I never heard of the Commissioners of Woods seeking to interpose any conditions upon us individually as to the return of the money. Mr. Pemberton repeatedly said that the Dock Commissioners must ultimately carry out the whole of the works. [*Mr. Pemberton.*—Mr. Laird has stated that I insisted upon certain clauses being introduced into the Bill of last year. I would, with the permission of the Committee, ask whether I insisted upon any clauses being inserted to which he had not previously assented; and if so, what those clauses were.] I stated that I assented as promoter of that Bill, inasmuch as the measure would have been endangered had I not done so. Clauses were put in, after I gave up the charge of the Bill, that I had not agreed to. Clauses were brought down in Committee, and I was obliged to lay them before the Committee, and many were thrown out by the Committee either of the Commons or the Lords.

Re-examined by Mr. Mereweather.

In 1845 there was a Bill for the Cheshire Junction Railway, but it was lost on standing orders. The Chester and Birkenhead Company declined

(*d*) See documents referred to in Appendix, *post*, 115. Also Report of Birkenhead Dock Company, August, 1847.

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John Laird, 12 May, 1848.

to proceed till the Cheshire Junction Company obtained their Act in the following session. The Directors of the Railway Company were urged constantly by the Dock Commissioners, and, as I stated, by that resolution; other complaints were made in consequence of that, and for the purpose of getting down into the Docks they contracted for the extension line in November, 1846. It was always intended to work the docks by the railway; it is in contemplation to work the Liverpool Docks by railway, and to connect them with all the railways coming to Liverpool. Any traffic coming to the contemplated works of the Dock Company must pass over the railway; no charge is made for it; the cargo of any vessel that comes into those docks must go to the Dock Company's warehouses or to the railway; the Dock Commissioners, therefore, get the benefit of the Railway Company's rails.

By the Committee.]—The works, according to the original estimate, were to cost 400,000*l.*; Mr. Rendel has had the exclusive control over the whole of the works as to the mode in which they should be commenced and carried on; and from October, 1844, when the works were begun, until June, 1847, when they stopped, there was never any want of money. The facts about the money lent are these: we raised nearly 400,000*l.* within three months of the passing of the Act; 221,000*l.* was lent to the Dock Company at 4 per cent.; they have since repaid 70,000*l.* or 80,000*l.* of that loan; 55,000*l.* was lent to the Improvement Commissioners, repayable at three months' notice, that has not been got back. The Dock Company had paid 265,000*l.* for a piece of land. The deeds were deposited with the Dock Commissioners as security. I do not apprehend any ultimate loss. The Dock Company have arranged for the repayment of the balance by 3000*l.* a month.

Loans of money.

If the Commissioners of Woods had allowed us to pen up the water in the pool at the beginning of last year, we should have been able to have got to work in June or July last. The requirements of the Commissioners of Woods as to the wall of the upper pool, was a great drawback to our getting on with the works. (*e*) Mr. Rendel objected to the clause as to the thirteen feet level, unless it was left to a public Board to decide whether it was necessary to run the water off for occasional purposes. The clause was, that the water should be retained at thirteen feet, except when it was necessary to run it lower in cases of emergency to be determined by the Admiralty or Conservators of the River. The parties having property in the upper pool did not wish to have vessels coming up there subject to damage by grounding. Mr. Rendel attended always at the Office of Woods, and supported the views of the Commissioners of Woods as to the walling of the pool, against the views of the Dock Commissioners, who passed resolutions to have the water penned up. I do not know of any instance of interference by the Commissioners of

(*e*) See Appendix, *post*.

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Woods except when there had been a departure from the plans, or from the Acts of Parliament, and application had been made to them. The Dock Commissioners would have carried out the original plan if they had had the means to do so. It is essential that the upper pool should be made available as well as the outer basin, or else there would be no room for vessels or trade; there would be a tidal basin without a dock. Unless the upper pool is excavated, this space cannot be available for shipping. The inner and outer works should go on together. If the outer works are completed without the inner, there would be a great tidal basin with access to the land below, but not above. The excavation of the twelve acres would not be a benefit to the Railway Company and the landowners unless the whole is excavated. If that upper pool becomes a mere reservoir for maintaining the low-water basin, it will be attained at too great cost. The value of the inner works, if completed, would depend upon the outer basin being kept clear of silt and mud. If the outer basin is not kept clear by sluicing from the inner pool, it must be kept clear by dredging. The first report by Mr. Rendel of the extra cost of the works, was in December, 1846. (*f*) In May or June, 1846, some of the Commissioners were anxious to see the works of the upper pool carried out. We applied to the Exchequer Loan Commissioners, and offered to give them personal security, if they would advance the money for the excavations, but we could not succeed. The original intention of the promoters of the Bill was to get the outer basin and the entrance to this pool completed for 400,000*l.*; the estimate of works proved in Parliament was 338,000*l.* (*g*) The work was to be done in two years and a half; and the works are now about half finished. I believe, had it been supposed they would have cost so much money, they would never have been commenced.

John Laird, 12 May, 1848.

Inner and outer works.

William Gibb, *examined by* Mr. Mereweather.

William Gibb.

I am in business at Manchester, and a member of the Manchester Chamber of Commerce, and have taken great interest in the general trade of Manchester, and consequently attach importance to the dock, in connexion with the railway scheme. In the year 1844 the Manchester Chamber of Commerce petitioned in favour of the dock scheme. I have a copy of the petition here. They supported the railway scheme in connexion with the dock: the entire scheme. It was part of their views, that it would be well to establish, for the manufacturing districts, a cheap and untaxed export dock for goods. The principal reason for our interference was, that we and our commercial allies were told it was cheap and untaxed: cheap and untaxed with respect to goods. By such a scheme I saw the likelihood of a fair competition between Liverpool and Birkenhead, whereby

Competition with Liverpool.

(*f*) For details of extra cost, see *ante*, 79.

(*g*) See evidence in the House of Commons, 7 May, 1844. Port and Docks of Birkenhead, p. 13.

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William Gibb, 12 May, 1848.

perhaps we might get something out of it. Without such competition we have only an outlet through Liverpool. We thought we were setting up a healthful competition; I am acquainted with the report of the Board of Trade in 1845: that report met our views. The Board of Trade seemed to have arrived at the same conclusion as ourselves, as to the sanction of those schemes. The proposal of rating goods, contained in the Bill before the Committee, has produced a change of feeling in Manchester as to the prospects of the scheme: this I deplore. The competition would give the advantage of a joint system of dock and railway: such a proposal will mar the advantage.

Cross-examined by Mr. Webster.

I should deplore the want of healthful competition in the Mersey. The carrying out of these works without additional rates would ensure healthful competition. I am aware that it is not the intention to impose rates elsewhere than in the Morpeth and Egerton Docks; but it is a precedent that may be followed afterwards; it is to be a rate upon goods landed on the wharfs, similar to the rate we object to in Liverpool; it is a rate upon all goods landed or sent coastwise. I am aware that the rates will not extend to goods landed on the station of the Railway Company; the goods landed there, or anywhere up the pool, will be free. I am a Director of the Railway Company. The inhabitants of Manchester still look with great interest to seeing this scheme carried out.

Re-examined by Mr. Mereweather.

We want to see the scheme carried out; we only object to the rate question; we should rather see the work done for nothing. The Manchester Chamber of Commerce might have given the scheme its favourable consideration, but we should never have given the support we did, had we supposed there would have been any rate of this sort charged. I am of opinion that the formation of the docks would be an advantage to the trade of the country. If rates were charged, the interest in Manchester would cease, because we should not go to Birkenhead. By going to Birkenhead, we should have to change and give up the connexion with Liverpool, which we should not do unless we had a pecuniary reason. Our inducement was, that dock rates existed on this side of the water, where our connexion lies, whilst on the opposite side of the water there would be an inducement without rates upon goods. We do not want to change our place of business, so much as to get it done cheaper. If the docks are carried out, it would increase competition to a certain extent for all parties lying on the Cheshire side: competition from any quarter must keep down the rates.

Opposition of coasters.

Mr. Lowndes was heard to open his case in opposition to the Bills on behalf of the coasting trade.

Petition.

The petition alleged the want of adequate accommodation for the coasting trade, and that by the proposed arrangements difficulties would be interposed to affording increased accommodation.

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William Marrow, examined by Mr. Dickenson. *W. Marrow, 12 May, 1848.*

I am collector in the office of the Dock Trustees at Liverpool; the Trustees are entitled to the dues of vessels entering the port of Liverpool. I have an account of the number of tons paying duty, which is as follows:—

COAST TONNAGE ENTERING THE PORT OF LIVERPOOL.
(*Extracted from the Dock Office Books.*)

	Liverpool. Tons.	Runcorn. Tons.	Total. Tons.
Year ending 24th June, 1843	501,341	101,387	602,728
" " 1844	574,589	121,460	696,049
" " 1845	612,145	137,277	749,422
" " 1846	613,425	125,420	738,845
" " 1847	617,919	152,089	770,008

Cross-examined by Mr. Webster.

I do not know what number of vessels that relates to. They make a great many voyages a year. Some may make two a week. I know that coasters go into the Morpeth Dock.

Monday, 15th May, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

John Campbell, examined by Mr. Dickenson. *J. Campbell, 15 May, 1848.*

I am a shipowner at Liverpool, and Chairman of the Coasting and Shipping Brokers' Association. I have been engaged for twenty-three years as a shipowner at Liverpool. A great number of coasting vessels have been accustomed to trade up and down the Mersey. The tonnage of coasting vessels reported at the custom-house at Liverpool, in the course of last year, was upwards of 600,000, and at Runcorn 152,089 tons. The tonnage is increasing every year; the foreign trade is increasing; I do not see any reason why the coasting trade should not increase in proportion. When the docks are full, the coasting vessels beach between Seacombe and Woodside Ferry. The works are not so far advanced as to prevent their entrance, so that vessels can now beach between those two places. I have seen, perhaps, a hundred there at a time. I never counted them. As the works at present are, the beaching ground and the Woodside Basin together afford sufficient accommodation for the vessels. The Woodside Basin alone would not afford sufficient accommodation to the vessels. The small space between the Seacombe end of the wall and the Seacombe Ferry does not afford any accommodation for beaching. The steam-packets belonging to the ferry generally lie there; there is no room for any vessels to go there; since they have built that wall, there is no room to swing; it is of use for no

Accommodation for coasting vessels.

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J. Campbell, 15 May, 1848.

other purpose than working the ferry. The shore on the south side of the Woodside Ferry Pier does not in its present state afford the means of accommodation for beaching; the ground all the way up to the Birkenhead Ferry is quite rocky. A basin there would not be so good as the other, because it is more exposed to the sea. It is often just the same as the middle of the river. The coasting vessels bring amazing quantities of salt for export, and grain from Ireland, and pig iron from Scotland; also coals, iron rails, and iron from Wales, all for export; dock dues are paid upon all goods at Liverpool.

Cross-examined by Mr. Webster.

No complaints from coasters.

The dues are paid to the Dock Trustees of Liverpool. No vessels are allowed fires in the docks at Liverpool. I am the Chairman of the Coasting and Shipping Brokers' Association. We have had no occasion yet to make any complaint to the Admiralty about the want of accommodation for coasters. I never counted the vessels that beached in Wallasey Pool. I did not give evidence in 1844 on any of the Bills. I do not know whether the number of vessels that beach there was very accurately ascertained. I send coasters into the Birkenhead Docks. There are many that go there: they can take nothing but salt and coals, they cannot take any goods. The low-water basin and works, if carried out, would be of great importance.

A. Whitehead.

Adam Whitehead, examined by Mr. Dickenson.

I am master of a flat trading between Liverpool and the other parts of the Mersey, and am principally engaged in carrying salt and coals from Runcorn and Northwich to Liverpool, and sometimes to Birkenhead, to be put on board the vessels. I have been accustomed to beach with my flat at Birkenhead and Seacombe, both before and since the wall was built. I have been in Woodside Basin; Wallasey Pool is preferable to Woodside Basin. The south side of Woodside Pier is very inconvenient for beaching; it is so rocky.

Cross-examined by Mr. Hope.

The Woodside Basin is a pretty tolerable one. Upwards of one hundred of our craft can lie together. The south of Woodside Basin could not be made good because it is more open to the stream, which would take the mud off the rock, and there would be a hard beach. I would rather have a soft than a hard bottom. There is a soft bottom at the Sloyne. About 150 of our flats could be beached on a soft bottom in the Sloyne; probably 200 could go there. I like Wallasey Pool better than anything else. I have seen 150 flats and coasters together in Wallasey Pool at a time; perhaps fifty river vessels and the rest largish coasters, drawing from six to ten feet of water.

Coasters at the Sloyne.

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John Stewart, examined by Mr. Dickenson. *J. Stewart, 15 May, 1848.*

I always understood the foreshore on the south side of Woodside Ferry to belong to the Crown. A great portion of the land abutting on the foreshore belongs to the Corporation of Liverpool. It appears by the map shown me by Mr. Pemberton that the part immediately to the south belongs to the Birkenhead Commissioners; whether the Dock or the Township Commissioners, I do not know.

By the Committee.]—I reported to the Commissioners of Woods upon the probable value of the Crown reserves at Birkenhead. I value the fifty-nine acres at 240,000*l.*; of those fifty-nine acres forty-three are now in possession of the Crown. The fifty-nine acres, possessing a large water frontage of 4100 feet, would be rateably worth more than the forty-three acres possessing water frontage only in common with the public and other parties, besides the absolute ownership and control of the wall by which the land is to be reclaimed. In forming my estimate I suppose the river wall, the permanent dam, its sluices and gates, and the entrance and great tidal basin, to have been completed. I suppose everything to be done contained in the letter of the 28th of March, addressed to me by the Commissioners of Woods. (*h*) I feel a strong opinion that there will be sufficient trade to secure the payment of the interest upon 150,000*l.*, as a first or preferential claim, and to provide a fund for the repayment thereof. I did not contemplate that any portion of the annual produce was to go in maintaining the tidal basin. I made no calculation on the subject of how the basin was to be kept open; it was not my affair at all. Assuming these works completed, and kept in a state of successful operation, it would not be an unreasonable estimate to suppose that 10,000*l.* would be the revenue produced, of which 2500*l.* would be a sinking fund, and 7500*l.* interest on a preferential claim. The basis of my estimate as regards the value of the sixteen acres, and the preferential security for 150,000*l.*, is the completion and keeping of those works in fair workable condition. I could not detail the purposes to which the land would be applicable; they are exceedingly varied and numerous; but I have found, as an unerring rule, that all land possessing water frontage near to places where there is a considerable trade is valuable; and having had a good deal to do with all the dock lands in Liverpool for about twenty-five or thirty years, I consider the rate I have put upon it much below the rates which land similarly situate on the Lancashire side, and only contiguous to the dock works, has generally obtained. Considering the matter to a certain extent speculative, I did not think I should be justified in putting so large a price or rate upon that land as upon land contiguous to docks the trade of which was settled and of some endurance. I am a member of the Liverpool Corporation. All the property taken

Value of Crown reserves.

(*h*) See Birkenhead and Seacombe Parl. Paper, No. 291, A.D. 1848.

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J. Stewart, 15 May, 1848.

by the Liverpool Corporation for the last twenty-five or thirty years has passed under my observation, and to a great degree under my control. As a member of the Corporation, I cannot now professionally do their business, but for many years I did all their business, till I became Chairman of the Committee.

Amalgamation of dock works in the Mersey in one trust.

I have formed an opinion as to whether it would be beneficial to the trade of Liverpool and to the public interests that the docks on both sides of the Mersey should be under one management; but it is really a question that involves so many interests that my opinion, I think, is not of much value. I have an opinion upon the subject, and had from the first agitation of these Birkenhead measures. My opinion always has been that the Wallasey Pool, as an adjunct to Liverpool, would be very valuable for all rough trades; and one reason why I put that value upon this property is, that in the town of Liverpool, hitherto, the land has been of such great value in our docks and quays and contiguous to them, that a great many trades for which large space is required, could not get accommodation so conveniently as they could on the Cheshire shore; and Wallasey Pool would have been convenient for a great many trades, as for timber and ship-building, and a variety of manufacturing purposes for which water frontage was desirable. For such purposes unity of management would be more economical and more beneficial for the public interest. I did not contemplate docks of the nature that are partly constructed; I contemplated a different sort of thing altogether. But this was merely private opinion.

Uses of Crown reserves.

The reserve of fifty-nine acres would be available either for private or public purposes. I think it would be first wanted for trading purposes and a variety of purposes connected with shipping, as ship-building and foundries, and various rough trades connected with all the purposes of ships, premises for timber, saw-mills, farriers' shops, forges, and in fact an enormous number of purposes. I speak of the North reserve. Though so applied, it could afterwards be applied to any other purpose, as for a dock. The contemplated docks are quite numerous and extensive enough for Birkenhead at present. The Corporation of Liverpool have accommodated ship-builders and others, but only as tenants, either upon leases or some other arrangement of that sort, by which the freehold could be acquired afterwards, and made use of for public purposes. As the arrangement now stands under the existing Acts, the Birkenhead Dock Commissioners are to make this North reserve, and the sixteen acres would be used by the public. According to the proposed arrangement the Commissioners of Woods are to make the wall, and the sixteen acres are then to be the property not of the Trustees, but of the Crown.

Cross-examined by Mr. Hope.

I was not asked any question as to the present value of the forty-three acres, nor as to the present value of the sixteen acres, but as to the value

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of the whole fifty-nine acres when the enumerated works should have been completed. The forty-three acres, under the existing arrangement, would be less in value than under the proposed arrangement. I assume, in the contrast I make, in both instances that the works are to be completed. I have not been called upon to consider what is the actual present value of the forty-three acres vested in the Crown. I was never asked that question until to-day. The land would be worth very little till the wall is built to reclaim it. At present to a certain extent, it is quite open. The chief value of that to the Crown is dependent upon the execution of the works; those being executed, 240,000*l.* is a moderate estimate to put upon it. The purchases on the Liverpool side have been at a much higher rate; I do not know any case quite analogous. We have paid very high prices in some cases. The land for the Albert Dock was of a very mixed nature. An average must be struck. We had to take a great quantity of buildings and valuable warehouses. It averaged probably, if I recollect rightly, taking buildings and foreshore, and the land altogether, something under 3*l.*; I dare say we paid 18*l.* or 20*l.* for some, per square yard. The nearest analogous case on the other side of the water would be the land to the south of the Harrington Dock; that cost 32*s.* per square yard. There is great want of accommodation on the Liverpool side for trades requiring considerable space, as timber-yards, and especially ship-building yards. I know that ship-building yards have been let very cheap in Liverpool under very peculiar circumstances, frequently at an annual rent of 1*s.* per square yard, which, at five per cent., would only represent 20*s.* as the value of the fee, when everybody knew that the fee was worth 60*s.*; but that arose from this circumstance, that a ship-builder could not get any term, and he had certain things to put down to carry on his trade, and therefore he could only give a nominal rent, because he held by a very short and uncertain tenure. In many instances 60*s.* was the real value of the fee.

J. Stewart, 15 May, 1848.

Value of land at Liverpool.

I have no opinion to offer about the unity of management on the two sides. I would rather avoid giving one at all if I could. I think a unity of management would have been found beneficial if it had been made at the proper time. I mean before other interests had been involved, which have also to be consulted. I think matters have proceeded to an extent now that would make it much more difficult probably than it otherwise would have been.

Unity of management.

Re-examined by Mr. Lowndes.

The land at the Harrington Docks was sold at 32*s.* a yard; it was principally waste, and retained by the sea wall. There was timber lying upon it at the time, and producing a revenue. I should think Birkenhead a very unfortunate speculation if it did not yield 10,000*l.* a year. I never troubled myself about the maintenance and clearance of the works. I assumed that the plans of the engineer would be sufficient for

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J. Stewart, 15 May, 1848.

that purpose. I put a higher value per acre upon the South than I put upon the North reserve. I consider it much more valuable; it is a higher price without the advantage of the river frontage. The whole of the land will be applied to public and private purposes.

Land for Albert Dock.

By the Committee.]—Valuable property has been pulled down to make dock accommodation at Liverpool, and enormous prices were given for land and houses for that purpose. For the Albert Dock especially, which is in the heart of the town, a great deal was pulled down to make way for it. It was the space intervening between the second dock ever made in Liverpool and the river itself; and as our river wall got out, it was found undesirable to have this piece of land between. It was done at considerable expense, but it was exceedingly desirable that it should be done. The difficulty of getting land for dock purposes at the south end of Liverpool, and the higher prices that must be paid for premises of that description, render it very important that additional accommodation should be had on the opposite side of the river. Our dock wall presents a frontage of perhaps four miles to the river; and wherever you interfere with great masses of buildings, you must pay very large prices. At the Harrington Dock, being extreme south, there you get land at 32*s.* a yard; at the north, for the docks which have been alluded to in connexion with the Act of 1844, the great bulk of the land was bought at 1*l.* a yard, because it was in a place that was in a manner not settled commercially. We took of one great landowner 100,000*l.* worth at 1*l.* a yard. Whenever you meet with a place that is a little built upon, you pay very high prices for it.

Messrs. Pollard's opposition.

Mr. Johnson was heard in support of the petition of Messrs. Pollard and Hustler against the Birkenhead Docks' Completion Bill.

Petition.

The petition stated the petitioners to be owners of land adjoining Wallasey Pool, and claimants of the foreshore down to low water adjoining such lands, and that they objected to any monies expended upon reclaiming the foreshore becoming a charge upon the lands reclaimed; that better arrangements for the completion of the work could be made than by the outlay of public money, under the superintendence of the Commissioners of Woods or of the Birkenhead Docks' Commissioners.

Mr. Hope objected to Mr. Johnson being heard against the preamble of the Bill, or at all, unless evidence should be adduced making a *primâ facie* case of the right to the foreshore being vested in the petitioners, and not in the Crown.

The Committee decided that the petitioners had no *locus standi* to be heard against the preamble of the Bill. It was arranged that in the event of the preamble being proved, and the Committee adopting a

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clause for the protection of the interests of the petitioners, no technical objection should be made to an alteration in the preamble. 15 May, 1848.

Mr. Lowndes was heard in support of the petition of William Stewart, a bondholder, against the Birkenhead Docks' Completion Bill. *Opposition of Bondholder.*

The petition stated that the Crown claimed land, which, by papers laid before Parliament, would be worth, when reclaimed, 1,089,000*l.*; that the consideration for land of this value was a loan of 150,000*l.*, with preferential security over all other advances, and a payment of 70,000*l.* for cost of a portion of the work; that the petitioner had lent 1400*l.* under and for the purposes of the first Act, and that the land reclaimed should be charged with the cost of the works; that the Crown ought not to have priority over other mortgagees, and also the increased value of the reclaimed land; that the Bill afforded no security for the completion of the works, or that the petitioner would be benefited by the loan for which the Crown had priority. *Petition.*

John Murray, examined by Mr. Lowndes. *John Murray,* 15 May, 1848.

I am a civil engineer. I was employed by the Trustees of the Liverpool Docks to examine the Birkenhead Works. I am well acquainted with the site of all the works, and with the River Mersey. I have examined the estimates that were made by Mr. Stephenson; they are somewhat larger in amount than Mr. Rendel's. I made an estimate; it exceeded Mr. Stephenson's. I had not at that time seen Mr. Stephenson's estimate. (*i*) I saw it only lately in the printed document published by Parliament. My amount is 421,078*l.* compared with Mr. Stephenson's 304,303*l.* There are some additions in Mr. Stephenson's estimate which I have taken no account of, and of which I knew nothing till I saw the Parliamentary paper; these, added to my estimate of 421,078*l.*, make it amount to 462,298*l.*, while Mr. Stephenson's would be 345,523*l.* The difference between us is 117,775*l.* *Estimate of works.*

(i) See Mr. Stephenson's report and details of estimate in Birkenhead and Seacombe Parl. Paper No. 291, A.D. 1848.

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Tuesday, 16th May, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

John Murray, 16 May, 1848.

John Murray, further examined by Mr. Lowndes.

If those works were completed, and the twelve acres excavated, that would not be accommodation enough for the trade which is expected. Estimate of Works. I should recommend not less than fifty acres to be excavated to carry on the trade that may be expected at that place. I consider the twelve acres adjacent to the dam merely for the purpose of carrying into effect the arrangements for the sluicing, and not for anything else; not for any commercial purposes. If there is to be a return for the commercial purposes the excavation must be extended to fifty acres, because the twelve acres merely extend to 120 yards above the dam.

Cross-examined by Mr. Goldsmid.

I visited the works at Birkenhead at the latter end of March, or the beginning of April. I was employed to do so by the Liverpool Dock Trustees. I was engaged three days in the examination of the works. There were put into my hands copies of the deposited plans, and what I was told was a very correct survey by Captain Evans of the state of the dock-works at Birkenhead, and I tested it by examination. The scale of the plan was somewhere about half an inch to a hundred feet. The plan is sufficient to give the leading features of the works. It required me to go into details of the sizes of the walls, which I assumed partly from what I imagined they ought to be. I relied upon this plan merely as a general plan, by which I could measure the length of the walls; the details I took from what has been, and what I conceived ought to be executed. I had no more detailed plans, or any sections, except sections of the pool upon the deposited plans. I took the plan as it was given to me. I believe Captain Evans' plan to be correct, and I estimate what would complete the works on that plan. I made no soundings, nor any borings. I can pretty well judge as to the nature of the foundations from seeing the state of the work before the Morpeth Dock was opened. Where I considered the foundations difficult, I provided accordingly in the estimate. I have not seen the detailed plans or specifications prepared by Mr. Rendel for the locks, the dams, the dock-gates, or the bridges. I saw the work which has been executed, and therefore was able to judge of the cost of completing it. I do not know anything of the cost of the work that actually has been executed. I was examined upon the plan of 1844. (*k*) I concurred with Mr.

(*k*) See evidence in the House of Lords, 29 June, 1844; Port and Docks of Birkenhead, p. 113.

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Rendel, and with other gentlemen examined in support of the Bill, in thinking that the plans which have been described would be beneficial to the port so far as the low-water basin is an addition or adjunct to the river. I expressed a very confident opinion, then, that the schemes would be effectual for keeping the basin clear, and I do so now. I thought then, and think now, that the sluicing will have such a powerful effect as to keep that basin clear. *John Murray,* 16 May, 1848.

Re-examined by Mr. Lowndes.

I had seen these works several times before I went to make this survey for the Trustees of the Liverpool Docks. I was well acquainted with Birkenhead. I have paid much attention to this sort of estimates, and I think I can form a very just calculation of what the works will cost. I had sufficient materials for being accurate. I was present when Mr. Stewart was examined. To the estimate of 462,298*l.* for completing the whole works, I add 118,075*l.* for the thirty-two acres of the pool, in addition, including the walls on the south and north sides. In order to complete that state of things which Mr. Stewart supposed to exist as the basis of his valuation, I think an outlay of 580,000*l.* would be requisite. I excluded the graving docks, which are delineated on the plan, and which are taken no account of. I think the security of the Crown would be incomplete unless that sum was expended.

Sir John Rennie, examined by Mr. Lowndes. *Sir J. Rennie.*

The Trustees of the Liverpool Docks requested me to view the Birkenhead works, and to report for what amount of money I thought they might be completed, with the view of some arrangement. I concur in the estimates of the cost for the completion of the works as stated by Mr. Murray. We were all together, and we worked out the calculation and quantities together, and I agree with him in every respect. I certainly do not consider that twelve acres will be sufficient for the purposes of commerce. I think it would be absolutely necessary to go to the extent of fifty acres. The outer basin will be of no use, except as a passage or entrance to the inner dock works.

Cross-examined by Mr. Webster.

I was on the spot three-quarters of a day on that particular occasion; we had those various dock works most fully described, and, in addition to that, such of the works as could be were measured and gone into in detail, and I feel confident that I had sufficient data to make an accurate estimate. The great low-water basin would not be of that value to the port which has been represented by other witnesses. I differ from them in that respect. I was requested in 1844 to give an opinion on the scheme. I did not give any reason, but I declined to have anything to do with it. The Corporation of Liverpool insisted upon my coming

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Sir J. Rennie, 16 May, 1848.

forward to confirm my former opinions, and I certainly declined doing so unless I was summoned by the House, and I was not examined. I anticipate that there will be a great trade at Birkenhead if carried out in a proper manner. Looking to such an outer basin as is projected, there ought to be a corresponding accommodation above; that I consider absolutely indispensable.

By the Committee.]—I do not consider that the outer basin would give accommodation to the trade such as will render it unnecessary to make anything beyond that; I have great doubts whether if the inner pool were excavated the sluicing would maintain the outer basin; if the outer basin is not kept clear by sluicing it must be by dredging at an enormous expense. I have had a great deal of experience in works of this particular description. The Harbour of Hartlepool was constructed by myself, and Ramsgate, which is similar to it, was for many years under my care. I know of almost every case. At Hartlepool we cannot maintain a channel of more than three or four feet in depth. The keeping open a channel of 500 feet wide is very different. I sincerely hope it may be successful, but as a matter of opinion I am against it. All the harbours on the opposite coast are kept open by sluicing; I can speak of Boulogne, Dunkirk, Calais, Havre, and Dieppe, but they cannot obtain anything of a channel at low water. The Hartlepool works are not exactly similar but very analogous, quite as well adapted to sluicing as these; from the point of discharge of the sluices to the open sea is about the same distance. I form my opinion not only from Hartlepool but every case. I was engineer at Whitehaven. We succeeded very well there, but as is the case with all alluvial shores, when you attempt to go beyond a certain point, you cannot rely upon sluicing. I know that Mr. Cubitt supported Mr. Rendel's views, and I am sorry to differ from Mr. Cubitt. I am aware that Mr. Murray has said, that, from experiments made at Hartlepool, he was convinced the effect would be to cleanse the tidal basin, (*l*) but at the same time I totally disagree from that. The sluicing power at Hartlepool is very effective so far as it goes, and for a considerable distance is good; there are from three to four feet of natural stream, but it is a mere gut, and I feel confident it will not be more here.

Inadequacy of sluicing.

W. C. Mylne.

William Chadwell Mylne, examined by Mr. Lowndes.

I am acquainted generally with the Birkenhead works. I accompanied the other gentlemen to make an estimate for the Trustees of the Liverpool Docks. We were called upon, and all three met at Liverpool and went into the quantities and prices, and afterwards having met at Liverpool we took the dimensions. I concur in the accuracy of Mr. Murray's estimate. The works cannot be executed at less money than he has stated. I am of opinion that twelve acres of excavation in the

(*l*) See evidence in the House of Lords, 29 June, 1844; Port and Docks of Birkenhead, p. 114.

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upper pool will not be sufficient to maintain the lower works in a state fit for commercial purposes. (*m*) Upon considering the subject, we have come to the opinion that fifty acres will not be more than is necessary. The cost, including the excavating the fifty acres, will be 580,377*l.* There are certain tides during which the float will not be able to replenish, and as the trade must be locked out during the whole of those days the vessels will be all huddled down into the twelve acres. *W. C. Mylne,* 16 May, 1848.

Robert Rawlinson, examined by Mr. Lowndes. *R. Rawlinson.*

I am a civil engineer, and well acquainted with the locality of these works. It is nearly twenty years since I first went into Mr. Hartley's employ; I was brought up with him; I accompanied the witnesses who have just given their evidence to the Committee. I concur in the opinion, that to complete the works with twelve acres only of excavation, will cost 462,000*l.*; the twelve acres will not be sufficient; they will afford no advantages for trade, even with the whole of the outer works; there would only be the entrance passage to the upper works. The twelve acres would not accommodate, for the purposes of trade, and landing cargoes, more than twenty or twenty-five vessels; there will not be quay room for more. The whole of the upper side will be cut off entirely, and there will be no approach to the vessels; the fifty acres will be required for the works. Estimates.

Cross-examined by Mr. Goldsmid.

I have been acting as an engineer for nearly twenty years, and for the Bridgewater Trust for the last four years; I have acted in conjunction with Mr. Hartley, and have known the Liverpool Dock works for fifteen years, and have been actually engaged upon them. Unless the whole works are completed, inner as well as outer, they cannot accommodate the shipping.

Lewis D. B. Gordon, examined by Mr. Lowndes. *L. D. B. Gordon.*

I am professor of engineering at Glasgow; I concur in the evidence of the preceding witnesses as to the estimates. I conceive, that unless the upper works be excavated, the lower basin cannot be maintained. I will suppose that the sluicing will answer; and I find on examining the cross sections of the pool, from the top to the bottom, that the quantity requiring to be drawn off will produce a current down the pool, such as will carry large quantities of mud into the lower basin. The sluicing at Hartlepool is so analogous to the proposed, that I consider an opinion

(*m*) As a reservoir of water to be employed merely for the purposes of sluicing, the pool in its natural state would be more efficient than when walled and deepened. The area covered at high water of high spring tides being about 190 acres above the dam, would furnish more water and under a greater head than the 150 acres of the pool walled and deepened, and the scouring effect on the low-water basin would, consequently, be greater.

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L. D. B. Gordon, 16 May, 1848.

may be formed to corroborate or impugn the other. The sluicing at Hartlepool has answered the purpose to a certain extent; it has not scoured out a great wide basin with a deep channel. A portion of the mud will go out into the Mersey, but a large portion must necessarily remain in the basin.

R. Barnett.

Robert Barnett, examined by Mr. Lowndes.

Arrangements with Liverpool Dock Trust.

I have been in communication with several of the bondholders of the Birkenhead Docks; I am authorised by several, holding from 30,000*l.* to 40,000*l.*, to represent them, and to state their object to be to get the speediest settlement of their bonds. At the time they acceded to the Government scheme they did not know where to get money to complete the works, and they acceded under the idea that the works would thereby be put into operation sooner than otherwise; they are now given to understand that there is a possibility of amalgamation with the Liverpool Dock Trust, and they would prefer that, as they think it would mend their case.

Cross-examined by Mr. Goldsmid.

I represent five bondholders holding in all 35,000*l.*; I do not say that they are at this moment opposed to the agreement with the Government. My brother assented, but at a time when there appeared no other means of settlement; he is of opinion it would be more satisfactory to arrange with the Trustees of the Liverpool Docks than to go on with the Government; we are afraid that there will not be a sufficient sum of money advanced by the Government to carry on the works to completion. They prefer a simple sale to an amalgamation with the Liverpool Dock Trust, if the thing were feasible. We are of opinion that it is feasible; I do not know on what terms; I have been given to understand so; I am not bound to declare by whom; I conscientiously believe such to be the fact. My brother does not desire the rejection of the Government Bills; he has only expressed a strong desire that no opportunity may be lost of making fair and equitable terms with the Liverpool Dock Trustees, if they were disposed to treat on reasonable terms. The other bondholders would prefer an arrangement with Liverpool, always supposing it was the most promising mode of getting their money; they are afraid the Government will not advance sufficient to complete the works, and if the upper pool is not brought into action we shall be a long time before we get principal or interest. The amalgamation with the Liverpool Dock Trustees would put aside altogether the arrangement for money with the Government.

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Withdrawal of Home Port Clause.

Mr. Webster stated that the representations of Mr. Bramley Moore respecting the operation of the Home Port Clause, and its interference with the income of the Liverpool Dock Trustees, had come by surprise upon the promoters, and had raised questions for which the promoters were not prepared; that the nature of the objections not having been previously communicated to the Birkenhead Dock Commissioners, so much of the Bill as relates to the Home Port Clause would consequently be withdrawn.

Limitation of dock rates.

That in reference to the rating clauses, a clause would be brought up exempting all vessels up to 200 tons from rates on goods; so that the vessels which could have used the Bridge End Dock, as originally proposed, that is excavated only to the level of the old dock sill, might use the Morpeth and Egerton Docks without being subject to a rate on goods.

Wednesday, 17*th May*, 1848. 17 May, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Mr. Serjeant Wrangham was heard in reply on the whole case.

Thursday, 18*th May*, 1848. 18 May, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Application was made by Mr. Barnett for an adjournment, to give time for negotiating with the Corporation of Liverpool, and the Trustees of the Liverpool Docks. The application was stated to be made on behalf of persons holding Birkenhead Dock bonds to the amount of 76,000*l.*, and that the bodies referred to intended to propose terms of arrangement of the different interests.

Mr. Webster opposed the application, on the grounds that the passing of the preambles of the Birkenhead Docks' Bills would not preclude such an arrangement, and that there was no such question before the Committee or upon any of the Bills or petitions referred to them; also that the proposed adjournment might endanger the loss of the Bills in the House of Lords for want of time.

The Committee resolved to adjourn to Tuesday, the 30th instant.

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30 May, 1848.

Tuesday, 30*th May*, 1848.

LORD CHARLES WELLESLEY IN THE CHAIR.

Mr. Barnett stated that the negotiations for which the adjournment was granted had not been successful, and he wished to throw no impediment in the way of the Crown Bill.

The Committee resolved, that the preamble of the Birkenhead Docks' Completion Bill was not proved.

The Committee adjourned, and on the 20th of June the preamble of the Rating Bill was declared not proved; and on the 26th of June the Transfer Bill, with various amendments, was passed.

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APPENDIX.

DOCUMENTS REFERRED TO IN PRECEDING EVIDENCE.

TO J. LAIRD, ESQ.,

Chairman of the Birkenhead Dock Commissioners.

Great George-street, Westminster, August 18, 1846.

SIR,—As directed by the Committee, I have estimated the probable cost of walling and wharfing the sides of the temporary cut or passage now excavating to enable vessels to pass to and from the Bridge End Dock, so as to make it available to shipping pending the construction of the intended permanent entrance through the Great Low-Water Basin. The cost will be from 7000*l.* to 8000*l.* additional to the excavations, which will cost from 5000*l.* to 6000*l.*

Estimate for walling and excavating temporary passage.

Now, important as I consider the opening of a commodious and roomy dock, such as this cut walled, as proposed and added to the Bridge End Dock, would make, I do not think the Commissioners would be justified in spending this large sum of money upon it, unless they had the assurance of the Commissioners of her Majesty's Woods, &c., that they should retain possession of the Crown's portion of the land occupied by the works for a period that would insure the repayment of the cost. Less than twelve years would not, I feel assured, enable the Commissioners to do this; and therefore, if the question should be further entertained by the Board, I hope they will think with me, that it must be determined by the result of an application to the Commissioners of Woods, &c., for such grant. Referring to Mr. Gore's letter of the 30th March last, to Mr. Mallaby, and to the minute of the Commissioners of Woods, &c. which it enclosed, it appears that the land in question has been granted to the Dock Commissioners as a temporary cut or passage for two or three years. I have prepared two plans, showing the appropriation of the land in both ways. Upon each plan the portion of the Crown land required is shown by blue and red colour, with dark stripes. The portions shown with plain colour belong to the Dock Commissioners. It will be observable that the total area of Crown land to be occupied is the

Outlay not to be made unless land retained.

Use of Crown land for a temporary passage.

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same in each case, and that the difference in the two is simply in the greater proportion of water area in that marked A.

In this plan the middle part only of the portion coloured blue and striped is deepened as a passage. The sides of this cut are the natural shore over which the water will only be from 6 to 8 feet deep; and therefore, though the area is considerable, it will be useless. Plan B shows a larger proportion of land, by reason of the water being confined to the extent of the deepened part of the cut by walls built along its margin, thus converting what is by Plan A useless shallow water, into convenient wharfs for trade, and in place of a mere deepened canal or passage with sloping sides, substituting walled quays, alongside of which vessels might discharge their cargoes with the same facility as in the dock, to which by Plan A this would be only a passage. The portion of land belonging to the Crown is, as I have before said, the same in both cases, and amounts in all to 4¼ acres, therefore forming but an insignificant corner of reserved land.

Improved value of property.

That the walling and wharfing this area in connexion with the adjoining portions of the Dock Commissioners' lands, so as to make the whole a portion of the Bridge End Dock, instead of being, as now intended, a mere passage to it, would, by more than doubling the accommodation to shipping, greatly benefit the trade of the port, and place the Dock Commissioners in a better position to get the remainder of the money required for their works, I have no doubt. But even to secure such advantages, they would not, I consider, be justified, as public Commissioners, in spending so large a sum on temporary works of this nature, without the assurance of being able to retain them sufficiently long for the repayment of their cost. This, as I have before said, could not be reasonably expected in less than twelve years from the present time. Unless, therefore, the Commissioners of her Majesty's Woods, &c., will extend the term of free grant to that extent, or say ten years, I cannot recommend the additional expenditure, important as the objects it would effect may be. Looking, however, to the obvious fact that the value of the reserved lands of the Crown depends upon the success of carrying out of these works, I cannot permit myself to believe that such a concession, promising to add to the success of these works, and assisting you to raise the remaining funds necessary for their prompt execution, will be withheld or unwillingly yielded by the Commissioners. It is probable the Board may deem it necessary to refer any application you may make to them to some competent engineer for his opinion as to the public utility of the works which will so long occupy land belonging to the Crown; but I think the fears which some of the Dock Commissioners entertain, that it would be referred to local parties intimately connected with rival interests, are unnecessary. But to guard you against this, I would suggest, that in making your application you should state that, in the event of its being deemed necessary to refer it at all, some London engineer of repute should be employed, and that you will pay his charges;

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adding, that though Mr. Cubitt is now the consulting engineer of the Liverpool Dock Trustees, he would not be disagreeable to you.

I am, Sir, your obedient servant,

JAMES M. RENDEL.

THE RIGHT HONOURABLE LORD MORPETH,

Chief Commissioner of her Majesty's Woods and Forests.

Birkenhead, Aug. 21, 1846.

MY LORD,—On behalf of the Birkenhead Dock Commissioners, I enclose a letter addressed to them by their engineer, J. M. Rendel, Esq., in reply to one inquiring as to the walling and improving the temporary cut from Woodside Basin to Bridge End Dock. The Dock Commissioners have decided to adopt Mr. Rendel's plan, and to go to the additional cost stated in his letter, provided the Crown will grant the free use of their land occupied for the purpose for an extended period of ten or twelve years, and they are also willing to pay the expense of sending down Mr. Cubitt, or any other London engineer of eminence, to inspect the works, provided the Board think that it is necessary to do so before coming to a decision. Mr. Rendel's letter goes so fully into the whole question, that it is not requisite for me to do more than refer your Lordship to it, and to the plans sent herewith, and to state that, looking to the additional value that will be given to all the Crown property in Wallasey Pool by the early opening of the docks for trade, I trust the Board may consider the proposition I have made on behalf of the Dock Commissioners a fair and reasonable one.

Use of Crown land for extended period.

I have the honour to be your Lordship's obedient servant,

J. LAIRD.

LETTER FROM THE COMMISSIONERS OF WOODS TO DOCK COMMISSIONERS.

Office of Woods, Sept. 4, 1846.

SIR,—The Commissioners of her Majesty's Woods, &c., have had under consideration the letter of the 21st ult., signed by you as the Chairman of the Birkenhead Dock Commissioners, and addressed to the Chief Commissioner of this Board, enclosing a letter dated the 18th ult. to you from Mr. Rendel, the engineer to the Dock Commissioners, on the subject of the proposed walling and improving the temporary cut from Woodside Basin to Bridge End Dock, which you state the Dock Commissioners decided to do provided the Crown will grant the free use of their land for the purpose of an extended period of ten or twelve years; and on the Board's behalf, I have to acquaint you that the Board consider the interests of the Crown and the interests of the

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Co-operation of Crown in promoting Birkenhead.

Dock Commissioners are to a great extent identical; that they will readily co-operate in establishing and extending the trade of Birkenhead, by affording all reasonable encouragement and facilities to the execution of the works and providing accommodation for commerce in the mean time; but that, if they rightly understood the proposals of the Dock Commissioners, it is intended that the whole of the extra cost occasioned by the walling now in contemplation shall be compensated to the Dock Commissioners by the enjoyment of land belonging to the Crown rent free for a certain number of years, which would in effect be to throw the entire cost upon the Crown; and that, entertaining this view, the Board are not prepared at once to assent to the proposal, but will refer the same to Mr. George Rennie, and instruct him to make an early survey, and report at the expense of the Dock Commissioners, as proposed in your said letter.

I am, Sir, your obedient servant,

CHARLES GORE.

To John Laird, Esq.

COMMISSIONERS OF WOODS TO BIRKENHEAD DOCK COMMISSIONERS.

Office of Woods, Oct. 21, 1846.

SIR,—With reference to this Board's letter to you of the 4th of September last, informing you of the intended reference to Mr. G. Rennie of your letter to the Chief Commissioner of the 21st, and of that of the 18th of August last, addressed to you as Chairman of the Birkenhead Dock Commissioners, by Mr. Rendel, their engineer, on the subject of the proposed walling and improving of the temporary cut from Woodside Basin to Bridge End Dock, which you stated the Dock Commissioners had decided to do, provided the Crown would grant the free use of their land for the purpose for an extended period of ten or twelve years, and that the Board would instruct Mr. Rennie to make an early survey and report at the expense of the Birkenhead Dock Commissioners, I have, on behalf of her Majesty's Woods, Forests, &c., to acquaint you that, having accordingly referred to Mr. G. Rennie the subject-matter of your said letter of the 21st of August last, and received and considered a report thereon from him, this Board are willing to recommend the Lords of her Majesty's Treasury to authorise the Board, on behalf of the Crown, to grant to the Dock Commissioners a lease, at a nominal rent, of the Crown land required for the temporary cut through the Crown reserve from the Woodside Basin to the Bridge End Dock for an extended term of ten years from the 1st of January, on condition that the Dock Commissioners shall forthwith wall the sides of the cut and adopt it as a dock for the purposes of trade, according to the plan marked B, referred to in Mr. Rendel's Report to the Dock Commissioners of the 18th of August, 1846; also, on condition that they

Grant of land on certain conditions.

Cut to be walled, and bridges provided.

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do provide free and uninterrupted access across the cut as soon as completed, from Birkenhead to the Crown reserve, by a sufficient bridge, to be built to the satisfaction of this Board, and maintain such bridge at their own expense during the continuance of the term; and upon further condition that the Dock Commissioners undertake, if required by this Board, to fill up the temporary cut, and build wharf walls and quays at each end of it, according to the original design shown on the plan annexed to the grant already made to the Dock Commissioners, at or before the expiration of the ten years.

Cut to be maintained as a dock, if required.

The Dock Commissioners must further undertake, that if the Crown shall hereafter desire that the temporary cut shall be retained as a permanent dock instead of being filled up according to the original design, to keep it open as a dock; and if an Act of Parliament shall be required for the purpose, to apply for, or co-operate in obtaining, such Act; in which case the land granted by the Crown to the Dock Commissioners for wharf and quay walls, as far as regards the sites (part thereof) appropriated to the cut or permanent dock, shall be considered to have been granted for the purpose of the dock, and to be the property of the Dock Commissioners, and the Crown shall retain only the portion of the cut or permanent dock formed out of the reserved land of the Crown. No wharfage or quay charges to be paid for goods landed on Crown property; but ships bringing such goods to pay dock dues, like other ships.

The Dock Commissioners are not to fill up the cut unless, and until, required by this Board.

I have to request that you will acquaint me, for the Board's information, whether the Dock Commissioners are willing to acquiesce in the arrangement above mentioned.

I am, Sir, your obedient servant,

A. MILNE.

To John Laird, Esq.,
Chairman of the Birkenhead Dock Commissioners.

[The arrangement above referred to was not carried out, but an exchange of land (see next Letter) was agreed upon.]

Whitehall-place, Oct. 30, 1846.

MY DEAR SIR,—The Board of Woods assent to the undermentioned proposals of the Birkenhead Dock Commissioners, with the trifling exception after noted, viz.:

Exchange of lands between them.

That the Crown grant to the Dock Commissioners in fee the part of the Crown reserve on the south side of the great basin within the lines shaded with yellow colour, on Mr. Rendel's plan, and containing 10A. 1R. 4P., with the exception of the north-east corner piece, pointed

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out at our meeting this day, which the Board of Woods desire to reserve to square their frontage to the side wall and quay.

That the Dock Commissioners obtain the authority of Parliament to vest in the Crown the area adjoining the south reserve, coloured dark red, containing 3A. 2R. 24P. (minus a quantity equal to the quantity of the reserve corner piece), and the area adjoining the north reserve, also coloured dark red, containing 6A. 2R. 20P., making together 10A. 1R. 4P.

Bridges and graving docks.

That the Dock Commissioners construct a dock between the Woodside Basin and Bridge End Dock, with bridges at the north and south ends of such new dock, so as to maintain two good bridges' communications between the town side of the dock and the Crown reserve, and appropriate the portion of the proposed grant lying to the eastward of the new dock to four graving docks, according to the plan, with proper adjuncts and approaches thereto.

The Commissioners of Woods to concur in the Dock Commissioners applying to Parliament for powers to carry out the foregoing objects.

I remain, my dear Sir, yours very faithfully,

EDWARD LEIGH PEMBERTON.

Joseph Mallaby, Esq.

8, Great George-street Westminster, November 25, 1846.

MY DEAR SIR,—I returned this morning, and have been engaged some hours with Mr. Mallaby on the new Bills and plans. We have, I believe, finally settled all that relates to the new docks and alteration of the culvert.

I do not see that the Commissioners can volunteer a restrictive clause which *may* damage the efficiency of the great basin, and cannot fail to invite opposition from the Liverpool Dock Trustees, the Conservators, and the Admiralty, on the account that it will lessen the quantity of back water. If the frontagers think such a restriction necessary, they are the parties to propose it. If you will read my evidence, you will see that I maintained the necessity for the fullest powers being given to the Commissioners in this respect; and nothing has occurred to alter my opinion on this point. It may not be necessary to run it off even to 13 feet, except occasionally; but a clause of the kind proposed cannot fail to raise a discussion that may make it compulsatory to run it down even below that level, and it must be borne in mind that all our evidence will be turned against us. This you would deprecate, for I know that you agree with me in a determination to keep faith with the public Boards and Parliament in every case, be it great or small. I shall write Mr. Brown to carry out the resolution of the Committee with all possible despatch, but to confine his night-work to such portions as are of secondary importance, for I cannot feel satisfied to be responsible for the vital parts if executed by night. Though the agreement does

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not name gates as it does bridges, it refers to the plans which show gates, and I think, therefore, the Committee have come to a right decision in having them provided for at once.

I have no suggestions to make respecting the tenders for the Extension Line; and as I fully explained to Mr. Ellis the plan I wished to adopt in comparing them, I have no doubt he will present a proper analysis for the Committee. If there should be any points upon which the Committee wish to consult me, I will be down immediately after the 30th inst. I cannot leave before. Perhaps, however, Mr. Ellis, under the directions of the Committee, would be able to state the matter clearly, or, better still, come here with the tenders and the views of the Committee, so that I could write you fully, and save time.

I am, dear Sir, yours truly,

JAS. M. RENDEL.

John Laird, Esq., Birkenhead.

RESOLUTION OF BIRKENHEAD DOCK COMMISSIONERS, NOVEMBER 27, 1846.

PRESENT:

Mr. JOHN LAIRD, Chairman;

Mr. Potter,	Mr. Brownrigg,
Mr. Appleton,	Mr. Bryans.

Letter from Mr. Rendel was read.

Resolved,—That Mr. Rendel be informed that the Commissioners consider themselves bound to adhere as near as practicable to the plans deposited which define the permanent level to be maintained in the Great Float at 13 feet 6 inches on the Old Dock Sill; and that it is desirable, in order to keep faith with the Crown and the frontagers, and to obtain their assistance in carrying out the works as a whole, to have a clause fixing the permanent level at 13 feet on the Old Dock Sill inserted in the Bill for the construction of Graving Docks, &c., now before Parliament.

(Proposed Clause.)

And be it enacted, That it shall not be lawful for the said Commissioners to run off or reduce the level of the water to be impounded between Warrington's Bridge and the intended embankment in the first-recited Act mentioned to a lower level than thirteen feet above the sill of the Old Dock at Liverpool, except for the purpose of making necessary repairs, or unless the Commissioners for executing the office of Lord High Admiral of the United Kingdom shall, in cases of emergency, otherwise direct, upon the application of the Birkenhead Dock Commissioners, stating such emergency.

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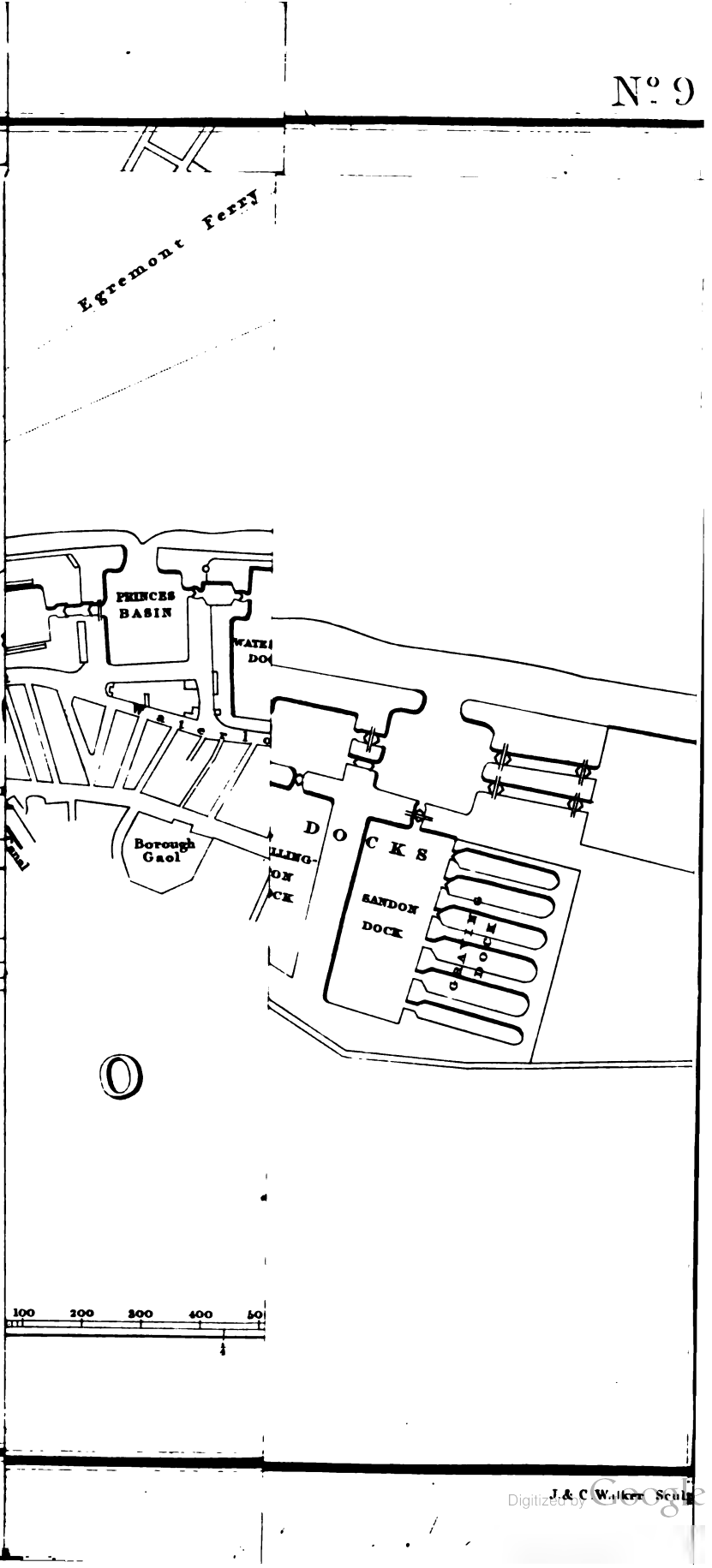

J. & C. Walker Sculp.

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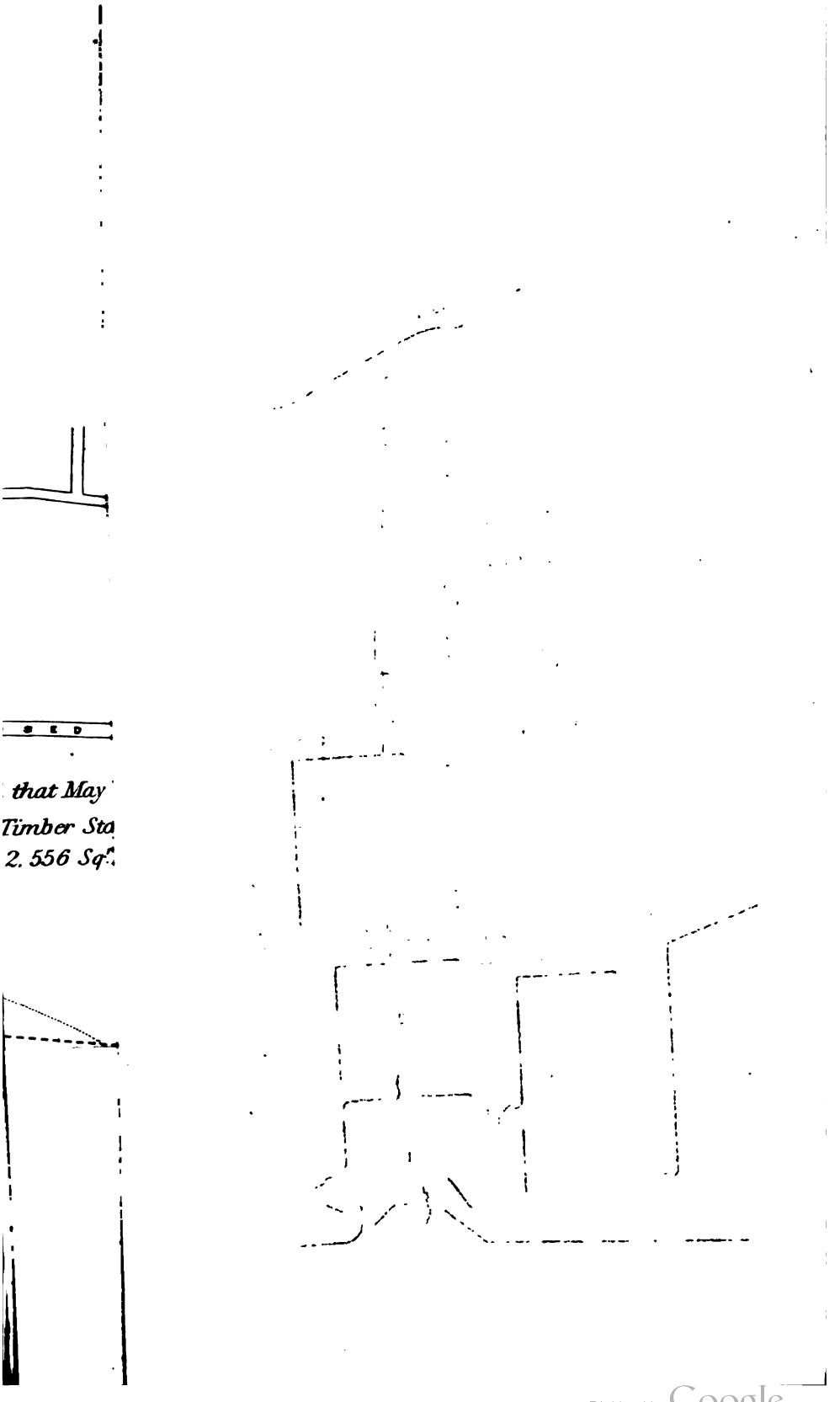

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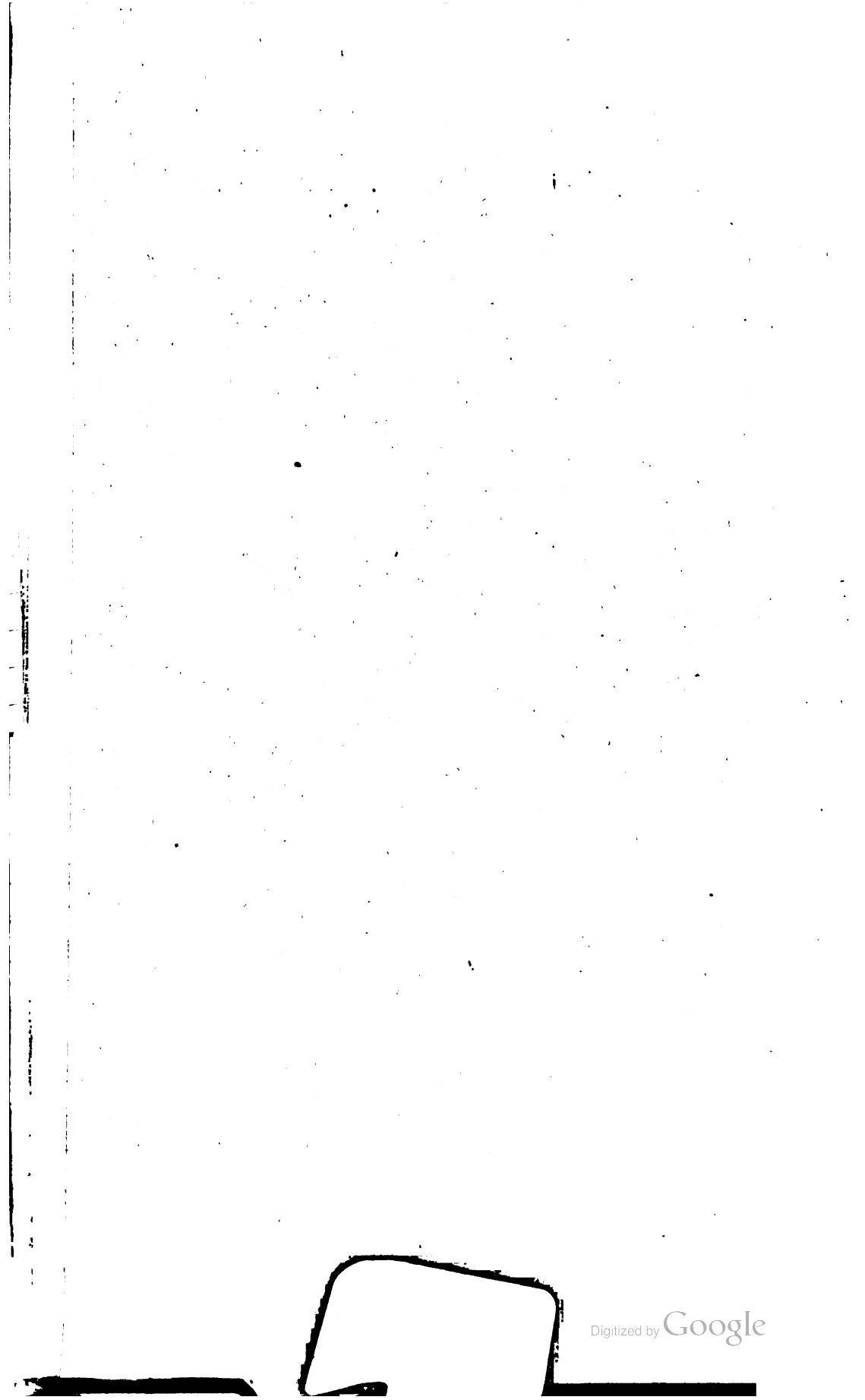
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